

# City of Cranston

## Zoning Board of Review

### Application

Application for exception or variation under the zoning ordinance "City of Cranston Zoning Code, December 1994 Edition as amended."

To: Cranston Zoning Board of Review  
35 Sockanosset Crossroad Suite 6  
Cranston, RI 02920

Date: January 20, 2023

THE UNDERSIGNED HEREBY APPLIES TO THE ZONING BOARD OF REVIEW FOR AN EXCEPTION OR A VARIATION IN THE APPLICATION OF THE PROVISIONS OR REGULATIONS OF THE ZONING ORDINANCE AFFECTING THE FOLLOWING DESCRIBED PREMISES IN THE MANNER AND ON THE GROUNDS HEREINAFTER SET FORTH.

OWNER: Hassan Hasaba

ADDRESS: 189 Kearney Street, Cranston, RI ZIP CODE: 02920

APPLICANT: Hassan Hasaba

ADDRESS: 189 Kearney Street, Cranston, RI ZIP CODE: 02920

LESSEE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

1. ADDRESS OF PROPERTY: 189 Kearney Street

2. ASSESSOR'S PLAT #: 10/1 BLOCK #: \_\_\_\_\_ ASSESSOR'S LOT #: 316 (portion) WARD: 6

3. LOT FRONTAGE: 108' +/- LOT DEPTH: 76' +/- LOT AREA: 8,091 sq ft

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: A-8 8,000 sq ft 35 ft  
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: 1 1/2 PROPOSED: same

6. LOT COVERAGE, PRESENT: 29% PROPOSED: same

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 10/27/22

8. ARE THERE ANY BUILDINGS ON THE PREMISES AT PRESENT? yes

9. GIVE SIZE OF EXISTING BUILDING(S): 69' x 28'

10. GIVE SIZE OF PROPOSED BUILDING(S): no change

11. WHAT IS THE PRESENT USE? single family home

12. WHAT IS THE PROPOSED USE? single family home

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: one



**HASSAN HASABA (“OWNER/APPLICANT”)**

189 Kearney Street  
0 Capuano Avenue  
Cranston, RI 02920

**PROJECT NARRATIVE**

This project narrative is offered with zoning applications of Hassan Hasaba as owner and as applicant (“Applicant”) in connection with a minor subdivision of several lots on Kearney Street and Capuano Avenue.

The Applicant owns a total of five (5) lots with a one-family dwelling at 189 Kearney Street and desires to construct a single-family home on the back lots fronting on Capuano Avenue.

The applicant’s property with the existing house at 189 Kearney Street includes Lot No. 317 and a portion of Lot No. 316 on Cranston Assessor’s Plat No. 10. Lot No. 316 was recently subdivided by the former owner in an administrative subdivision plan approved in October, 2022.

The applicant’s property fronting on Capuano Avenue includes Lot Nos. 223, 224, 225 and 226 on Cranston Assessor’s Plat No. 10. The proposed single-family home will be built on those lots after approval of the minor subdivision by the Planning Commission.

All the lots are in an A-8 residential zone with a minimum lot size of 8,000 square feet for a single-family dwelling. As proposed, Parcel A (new house) would contain 7,869 square feet or short by 131 square feet for the area requirement. Parcel B for the existing house on Kearney Street will contain 8,091 square feet and meet the minimum area requirement.

Dimensional variances are sought from the Zoning Board of Review to allow the existing dwelling to maintain a side setback of 6.6 feet on the north side and a portion of the structure to have a rear setback of 4 feet. The pre-existing front yard setback is 23.5 feet.

In addition, dimensional relief is sought for the new structure to be on an undersized lot of 7,869 square feet and for rear yard relief to allow a portion of the proposed structure to be 18.5 feet from the rear lot line. All other intensity regulations can be met for the new dwelling.

In summary, the following dimensional variances are sought from the Zoning Board of Review

**17.20.120 (Schedule of intensity regulations)**

A. The existing one family house at 189 Kearney Street is 23.5 feet for the front setback (25 feet required) and 6.6 feet from the side yard on north side (8 feet required).

B. The proposed rear setback in the minor subdivision will be 4 feet for a portion of the existing house where 20 feet is required in the A-8 zone.



C. The proposed single-family house would be constructed on 7,869 square feet where 8,000 square feet is required.

D. Based on the new property line being established, the proposed house will be 16'5" for a portion of the rear setback where 20 feet is required in the A-8 zone.

17.92.010 Variance for dimensional relief

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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;

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;

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 codified in this title or the comprehensive plan upon which the ordinance is based; and

The relief to be granted is the least relief necessary.

That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience.



**NARRATIVE REPORT**

A.P. 10-1, LOTS 223, 224, 225, 226 & 317  
189 KEARNEY STREET  
CRANSTON, R.I. 02920

PREPARED FOR:  
HASSAN HASABA  
870 PONTIAC AVENUE  
CRANSTON, R.I. 02920

**REPLAT OF LOTS 105, 106, 107, 108, 198, 199, 200 &  
201 ON "EDEN CREST" PLAT**  
2 LOT MINOR SUBDIVISION

PREPARED BY:



**PLANNERS, INC.**

**SURVEYORS • ENGINEERS • DESIGNERS**  
1255 OAKLAWN AVENUE • CRANSTON, R.I. 02920  
TEL. (401) 463-9696

December 28, 2022  
PROJECT NO. 10394

**SOILS ANALYSIS:**

Based upon the U.S. Department of Agriculture, Soil Conservation Service, Soil Survey of Rhode Island, this parcel contains one soil group classified as Merrimac-Urban land complex (MU). All soils are suitable for community development.

**EXCAVATION AND FILL ANALYSIS:**

No excavation nor fill is necessary for this site.

**FEDERAL/STATE PERMITS:****ZONING:**

Lot minimum area relief is required for the proposed plan. Parcel A does not meet the minimum requirement of 8,000 square feet for an A-8 zoned lot containing a single-family dwelling. Neither parcel A nor B will meet requirements for rear yard setback requirements for an A-8 zoned lot. Existing dwelling on Parcel B does not meet front or side setback requirements.

**PROVIDENCE WATER:**

Public water is available to this site. Plans will be submitted to Providence Water for approval.





















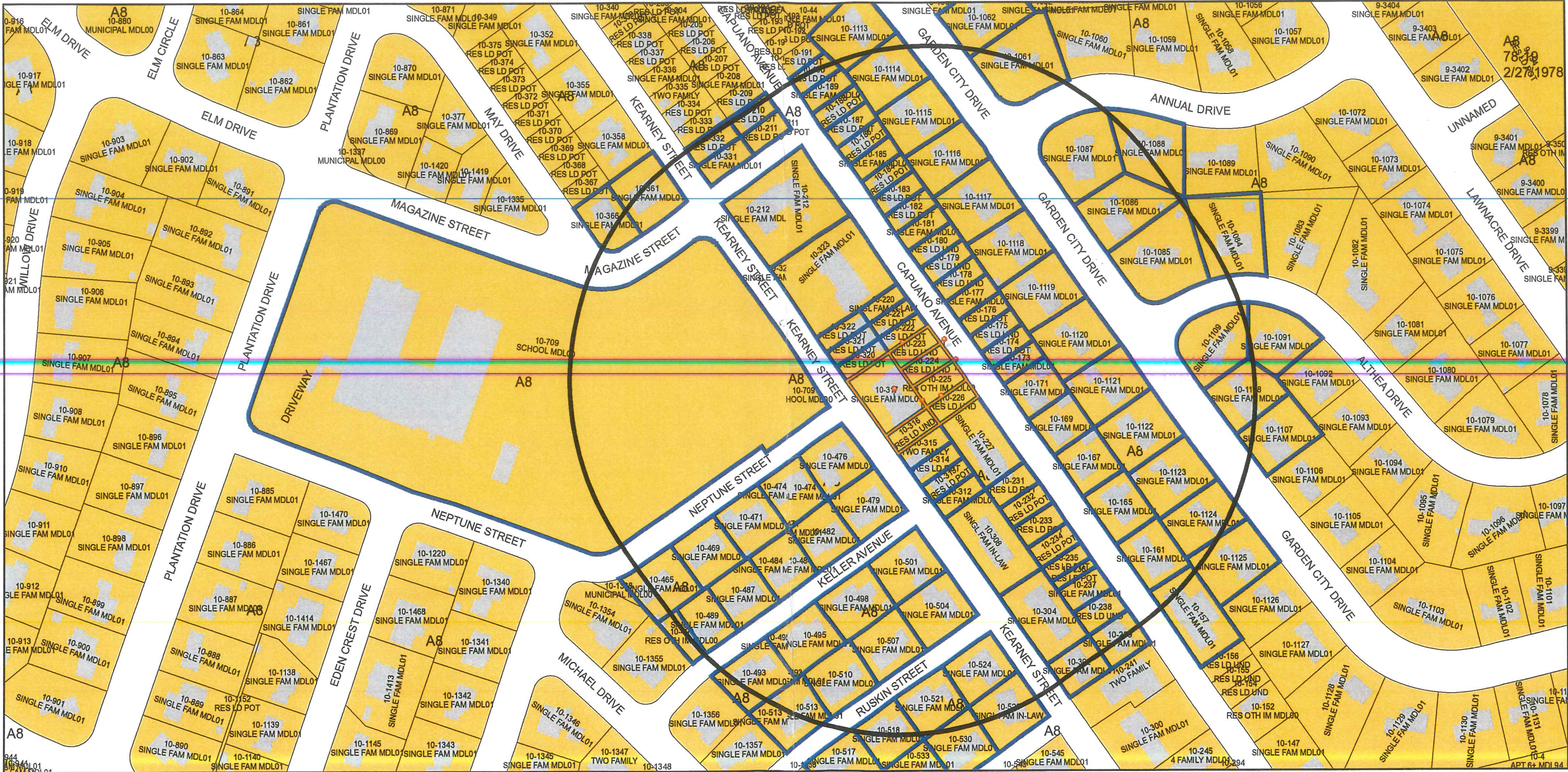






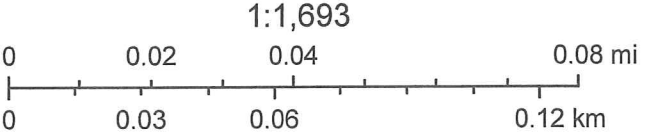


189 Kearney St 400' Radius Plat 10 Lots 223-226, 316-317



1/20/2023, 11:48:09 AM

Parcel ID Labels		Historic Overlay District		A8		C3		MPD
Streets Names		Zoning		A6		C4		S1
Cranston Boundary		none		B1		C5		Other
Parcels		A80		B2		M1		
Buildings		A20		C1		M2		
Zoning Dimensions		A12		C2		EI		



City of Cranston



## REFERENCE:

- DEED BK. 6571 PG. 7
- DEED BK. 4330 PG. 330
- DEED BK. 1287 PG. 56
- RECORD LOTS 105, 106, 107, 108, 198, 199, 200 & 201 ON "EDEN CREST CRANSTON, R.I. OWNED BY J.W. WILBUR MARCH 2, 1902. A.L. ELIOT SURVEYOR, BOSTON, MASS."
- P.C. 320
- ZONING VARIANCE APPLICATION RECORD ID: 1281598
- ZONING VARIANCE APPLICATION RECORD ID: 1282053

## NOTE:

- FEMA ZONE X / MAP 44007C0314H / DATED: 10-02-2015
- LOT 316, PREVIOUSLY, WAS MERGED WITH LOT 317
- ALL ABUTTERS ARE LOCATED ON THE "EDEN CREST" PLAT (SEE REF. #3).
- ALL LOTS ARE COMPRISED OF ENTIRELY BUILDABLE UPLAND.
- NO PROPOSED EASEMENTS ON SITE
- NO KNOWN CEMETARIES ON NOR ABUTTING SITE
- SITE IS NOT WITHIN A NATURAL HERITAGE AREA
- NO KNOWN ENVIRONMENTAL HAZARDS ON SITE.

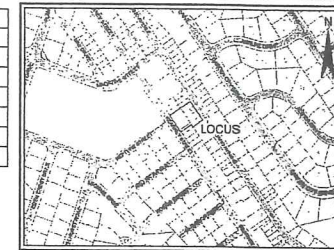
## AVERAGE ALIGNMENT:

## (PARCEL A)

LOT 220-222: 19.70 FT.  
LOT 227: 16.90 FT.  
LOT 323: 21.72 FT.  
AVERAGE: 19.44 FT

A.P. 10-1 / LOT	OLD AREA	NEW AREA
LOT 223	2,100 S.F. (0.05 AC.)	0 S.F. (0 AC.)
LOT 224	2,100 S.F. (0.05 AC.)	0 S.F. (0 AC.)
LOT 225	2,100 S.F. (0.05 AC.)	0 S.F. (0 AC.)
LOT 226	2,100 S.F. (0.05 AC.)	0 S.F. (0 AC.)
LOT 317	7,560 S.F. (0.17 AC.)	0 S.F. (0 AC.)
PARCEL A	0 S.F. (0 AC.)	7,869 S.F. (0.18 AC.)
PARCEL B	0 S.F. (0 AC.)	8,091 S.F. (0.19 AC.)

AREA TO BE CONVEYED = 15,960 S.F. (0.37 AC.)  
TOTAL AREA = 15,960 S.F. (0.37 AC.)



## LOCUS MAP

NOT TO SCALE

## ZONING DISTRICT A-8

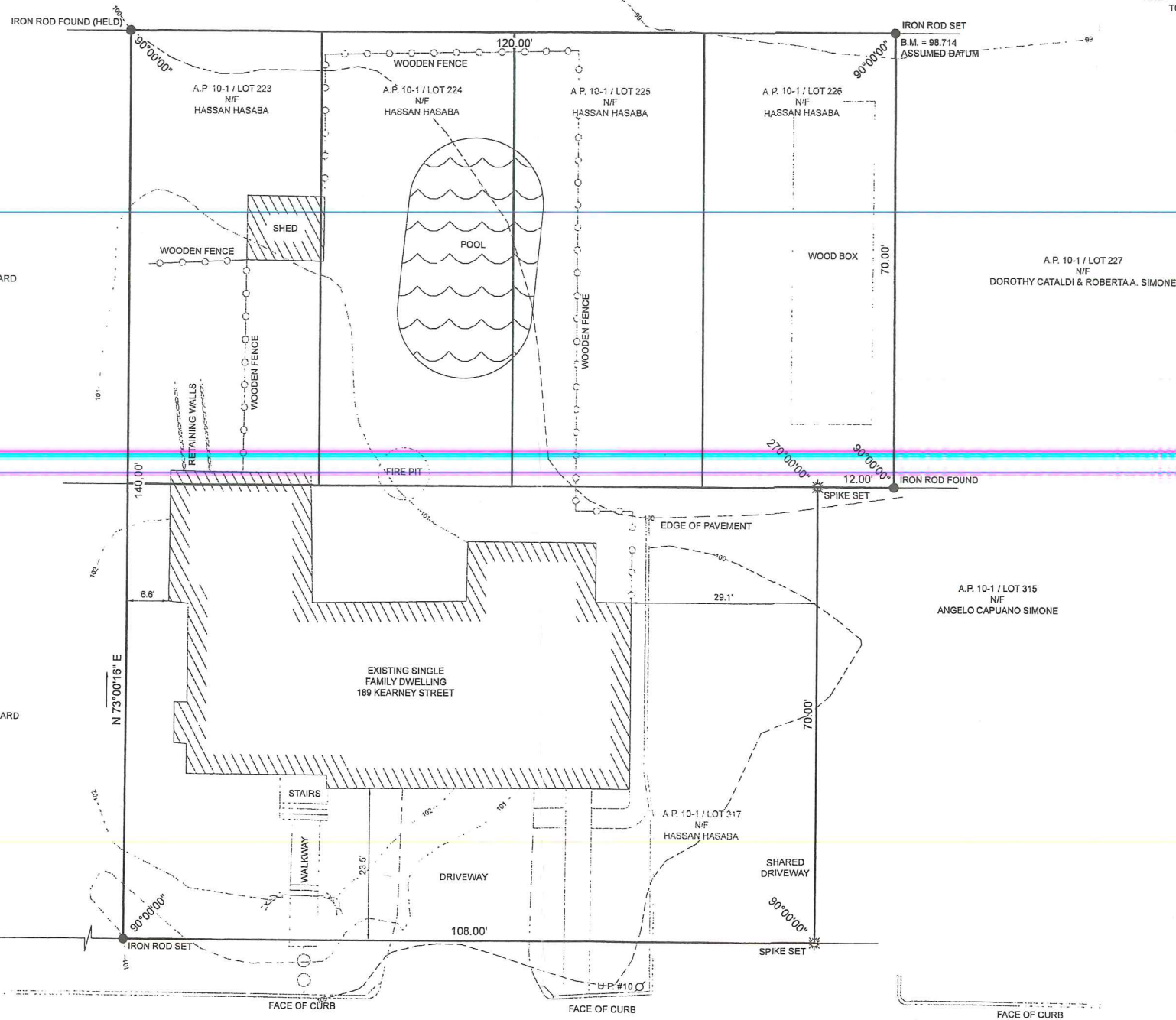
MINIMUM LOT AREA: 8,000 S.F.  
MINIMUM LOT FRONTAGE: 80 FT.  
MINIMUM SETBACKS: FRONT: 25 FT.  
SIDE: 10 FT.  
REAR: 20 FT.  
MAXIMUM STRUCTURE HEIGHT: 35 FT.  
MAXIMUM LOT COVERAGE: 30%

## LEGEND

- AP ASSESSOR'S PLAT  
N/F NOW OR FORMERLY  
● IRON ROD  
⊙ DRILL HOLE  
⊙ GIN SPIKE / MAG NAIL  
■ GRANITE BOUND  
○ UTILITY POLE

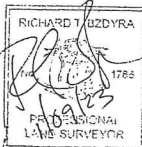
## CAPUANO STREET

(40' PUBLIC)



## KEARNEY STREET

(40' PUBLIC)



## SURVEY CLASSIFICATION:

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND STATE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2015. AS FOLLOWS:

TYPE OF BOUNDARY SURVEY  
LIMITED CONTENT BOUNDARY SURVEY  
MAP COMPILATION SURVEY

MEASUREMENT SPECIFICATION  
CLASS I  
CLASS IV

THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THE PLAN IS AS FOLLOWS:  
TO ESTABLISH AND STAKE RECORD BOUNDARY LINES AND TO MOVE PROPERTY LINE BETWEEN LOTS 317 AND 315

BY: *Richard T. Dzdyra* DATE: 10/9/23  
RICHARD T. DZDYRA, PLS. LICENSE #1786; COA # LS-A60

THE FOLLOWING TYPES OF EVIDENCE WERE USED TO CONSTRUCT THIS SURVEY: RECORDED FOUND MONUMENTS IF ANY, NON-RECORDED MONUMENTS, LINES OF POSSESSION AND OTHER EVIDENCE RELATIVE TO THE DEED OR PLAT. THE BOUNDARY SOLUTION IS THE COMPILE OF INFORMATION TO DETERMINE THE MOST PROBABLE LOCATION OF THE SURVEYED PARCEL.

## EXISTING CONDITIONS

REPLAT OF LOTS 105, 106, 107, 108, 198, 199, 200 & 201 ON "EDEN CREST" PLAT  
MINOR LAND SUBDIVISION  
PRELIMINARY PLAN

A.P. 10-1 / LOT 223, 224, 225, 226 & 317  
189 KEARNEY STREET  
CRANSTON, R.I. 02920  
SCALE: 1"=10' DATE: DECEMBER 28, 2022

PREPARED FOR:  
HASSAN HASABA  
189 KEARNEY STREET  
CRANSTON, R.I. 02920

PREPARED BY:  
OCEAN STATE PLANNERS, INC.  
1255 OAKLAWN AVENUE, CRANSTON, R.I. 02920  
PHONE: (401) 463-9696 info@osplanners.com

JOB NO. 10394 / DWG. NO. 10394 - Prelim - (A/B)  
SHEET 1 OF 2

GRAPHIC SCALE: 1" = 10'

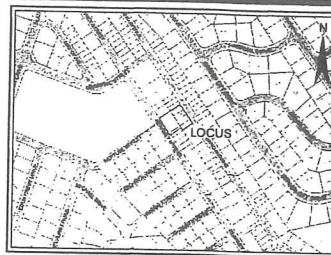
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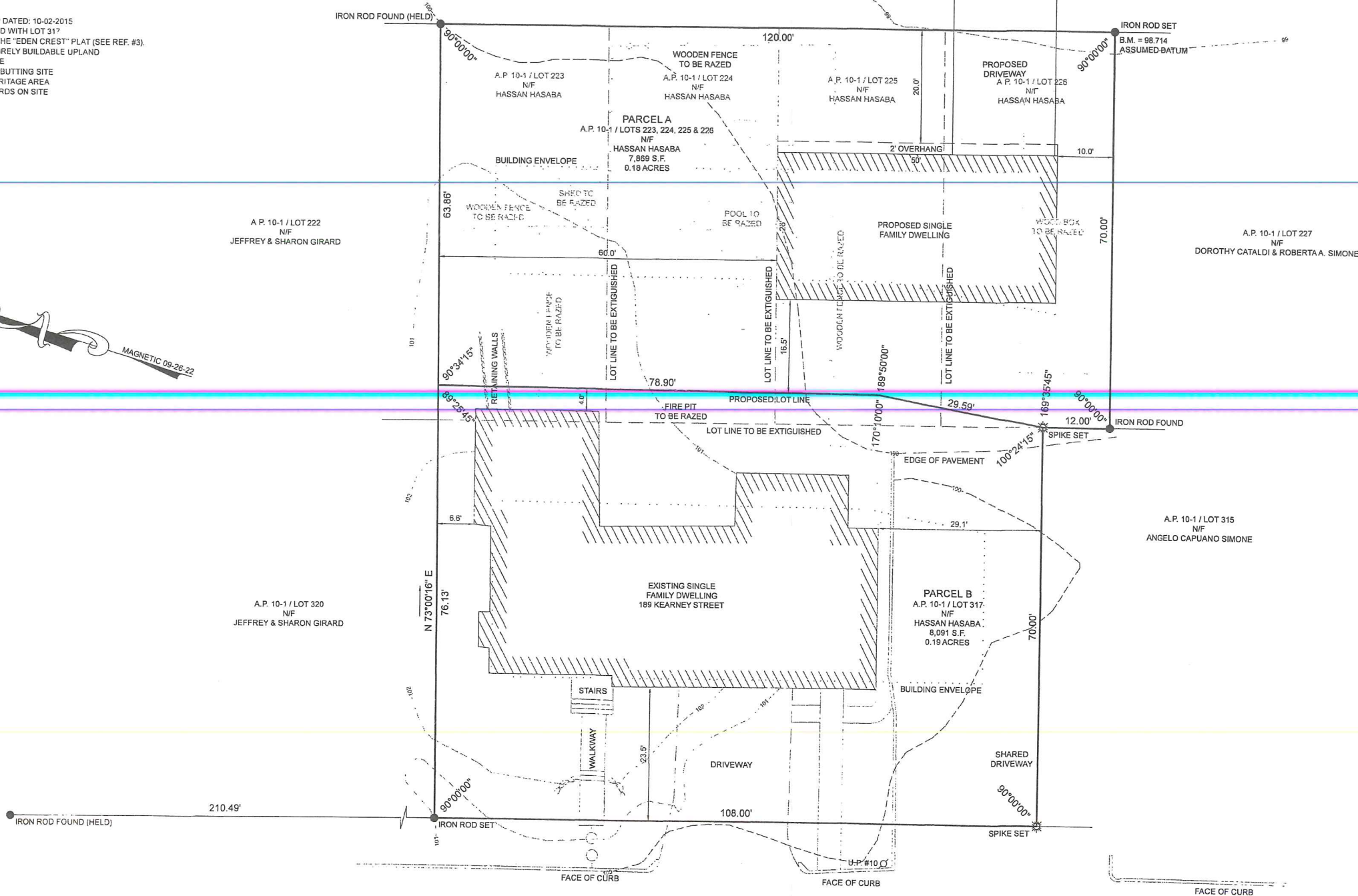
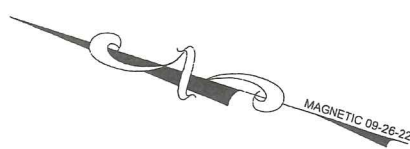
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BY *[Signature]* DATE 10/9/23  
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