

**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: 1 _____

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: SCW18, LLC

ADDRESS: 126 Chestnut St., Warwick, RI ZIP CODE: 02888

APPLICANT: Same

ADDRESS: _____ ZIP CODE: _____

LESSEE: N/A

ADDRESS: _____ ZIP CODE: _____

1. ADDRESS OF PROPERTY: 295 Oaklawn Avenue

2. ASSESSOR'S PLAT #: 17 BLOCK #: 1 ASSESSOR'S LOT #: 1338 WARD: _____
From Oaklawn Ave. 146.59'

3. LOT FRONTAGE: _____ LOT DEPTH: ≈ 372 ft LOT AREA: 37,926 S.F.
From Dean St 61.39'

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: A8 8000 sq. ft 35 ft.
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)
House 40ft.

5. BUILDING HEIGHT, PRESENT: Garage 20 feet PROPOSED: None; structures are to remain
in as is

6. LOT COVERAGE, PRESENT: 30% PROPOSED: None; " " condition.
" " " "

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? approx 10 mos.

8. ARE THERE ANY BUILDINGS ON THE PREMISES AT PRESENT? yes { 2 family home + 2 garages }

9. GIVE SIZE OF EXISTING BUILDING(S): House 600 sq. ft; Garage 1 660 sq. ft; Garage 2 1152 sq. ft

10. GIVE SIZE OF PROPOSED BUILDING(S): no new buildings or additions proposed.

11. WHAT IS THE PRESENT USE? Residential ^{with} 2 family home + 2 garages

12. WHAT IS THE PROPOSED USE? Same

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: The 2 family home will

remain as a 2 family home and garages will remain as
garages. All structures to remain as currently used.

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: _____

See Attached

15. HAVE YOU SUBMITTED PLANS TO THE BUILDING OFFICIAL? *NO - not necessary*

16. WERE YOU REFUSED A PERMIT? *NO*

17. PROVISION OR REGULATION OF THE ZONING ORDINANCE OR STATE ENABLING ACT UNDER WHICH APPLICATION FOR EXCEPTION OR VARIANCE IS MADE.

See Attached

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: _____

See attached

SIGNATURE OF APPELLANT(S) AND ATTORNEY (IF APPLICABLE) IS REQUIRED AND MUST BE LEGIBLE.

RESPECTFULLY SUBMITTED,

Mary B. Shekarchi Authorized Agent

(OWNER SIGNATURE)
for SCW10, LLC

(40)

(PHONE NUMBER)

(OWNER SIGNATURE)

(PHONE NUMBER)

(APPLICANT SIGNATURE)

(PHONE NUMBER)

(LESSEE SIGNATURE)

(PHONE NUMBER)

Mary B. Shekarchi

(ATTORNEY SIGNATURE)

(401) 828 5030

(PHONE NUMBER)

Mary B. Shekarchi, ESQ.

(ATTORNEY NAME-PLEASE PRINT)

ATTORNEY ADDRESS: *51 Jefferson Blvd, Ste 4, Warwick RI 02888*

PRE-ZONING APPLICATION MEETING:

(PLANNING DEPT. SIGNATURE)

(DATE)

WRITTEN CONSENT OF THE MANAGER

SCW18, LLC

As of the 19 day of April, 2022, the undersigned, being the Managing Member of SCW, LLC, a Rhode Island Limited Liability Company (the "LLC") does hereby consent to the following actions being taken for and on behalf of the LLC:

RESOLVED: That the LLC be, and is hereby authorized and directed to apply and submit applications to the City of Cranston to create 2 lots for that property located at 295 Oaklawn Avenue, Cranston, RI 02920 and further identified as the City of Cranston Tax Assessor's Plat No. 17, Lot 1338 ("Property") and the LLC authorizes either its Attorney, Mary B. Shekarchi, Esq or any of its Majority Members named below, acting singly, shall deem necessary, advisable, appropriate and in the best interests of the LLC.

RESOLVED: That Mary B. Shekarchi, Attorney for the LLC ("Authorized Agent") is hereby authorized and directed, in the name and on behalf of the LLC, to execute and deliver any and all documents, including the applications, agreements, amendments, consents, agreements, contracts, reports, documents, filings, certificates and/or other instruments, to furnish any and all information, to do and perform any and all other acts and things, and to pay any and all expenses in connection therewith, all as deemed by the Members, acting singly, to be necessary, advisable, appropriate and in the best interests of the LLC with respect to any of the matters contemplated by the foregoing resolutions in order to effectuate the intent thereof, the authority of such Authorized Member to be evidenced conclusively by the execution and delivery of such conveyance documents, guarantees, amendments, consents, agreements, contracts, reports, documents, filings, certificates and/or other instruments.

RESOLVED: That the Authorized Agent of the LLC is hereby authorized to certify to Seller and to Lender that these resolutions have been duly adopted and that they are in conformity with the organizational documents of the LLC.

RESOLVED: That any action take prior to the adoption of the foregoing resolutions on behalf of the LLC by the Authorized Members that is within the scope of or

otherwise contemplated by the foregoing resolutions be, and the same hereby is, ratified, approved and confirmed in all aspects.

IN WITNESS WHEREOF, the undersigned have executed this consent as to the day and year first above written.

Members:

CHERYL A. WEISMAN

STEVE W. WEISMAN





**Attachment to
Zoning Application for
295 Oaklawn Avenue, Cranston, RI 02920**

Response to Question 17:

17.20.12 Dimensional Standards:

Frontage Standard: 80 Feet; Proposed Lot 2 has 61.39 feet of Frontage on Dean Street,
Requested Relief is 18.61 feet

Height Standard: 35 Feet: Proposed Lot 1 Pre-existing Home height is 40ft.
Requested Relief is 5 feet

17.60.010 (A) (1) Accessory Uses:

Residential Accessory Uses are permitted which (1) Are clearly incidental and subordinate to stand customarily associated with the principal residential use.
Applicant is proposing to have garages (accessory units) separate from a principal use.

17.60.010 (B) Accessory Uses

Side Yard Setback: 5 Feet; Proposed Lot 2 – Pre-Existing 3 car garage is 2.4 from Side yard
Setback
Requested Relief is 2.6 feet

Rear Yard Setback: 5 Feet; Proposed Lot 2 – Pre-Existing 3 car garage is 0.8 feet from Rear
Setback
Requested Relief is 4.2 feet.

Response to Question 14 & 18:

The Applicant is seeking to subdivide the subject property into 2 lots. The Proposed Lot 1 will consist of the pre-existing non-conforming by height, 2 family home and a driveway which will be used via an easement for both proposed Lot 1 and Lot 2. Lot 2 will consist of the pre-existing non-conforming 3 garage structure and the existing conforming by dimension 4 car garage. There will be no changes/expansion to the current uses on either Lot 1 & Lot 2. The garages will continue to be utilized as they are currently used, and the 2-family home will continue to be used as a 2 family home. There will be absolutely no increase in the building footprint/structures for the garages and for the home.

As noted on the plans, the newly created Lot 2 will “Not be a buildable lot for residential purposes”. Should this application be approved, the Applicant is willing to also place this restriction in the land evidence records.

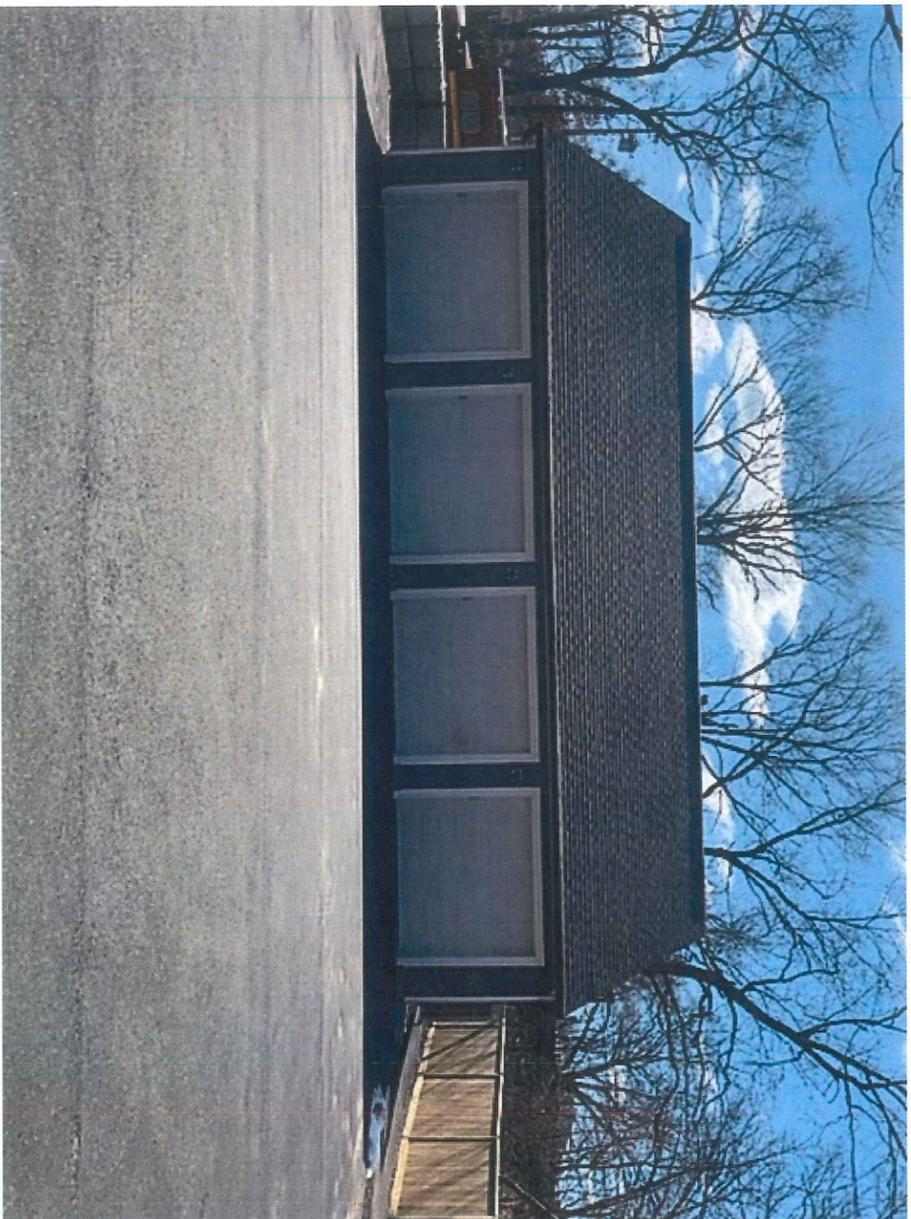
The Applicant is requesting relief from the zoning code to allow the garages on the proposed Lot 2 to be located on a lot that is separate from a principal use. The Applicant has no intention of adding any residential spaces to the garages, they will remain as they are currently used as garages.

In addition, the Applicant is also requesting the following dimensional relief.

A. Relief from frontage on Dean Street as defined above. The natural slope of the property declines from the garage to Dean Street and is overgrown with plantings. This condition will remain as is and it will not be used for access to Lot 2. The garages currently use the driveway from Oaklawn Avenue, and should this application be approved, the Applicant will create a permanent driveway easement for Access to Lot 2. There will be no additional impact on Oaklawn Avenue because this use of the driveway will be the same as it is currently being used.

B. The pre-existing 3 car garage is 2.5 feet from the side yard and 0.8 feet from the rear lot line. The code requires a 5-foot distance from both the side and rear setback for an accessory use, thus the Applicant is seeking dimensional relief for these dimensional requirements.

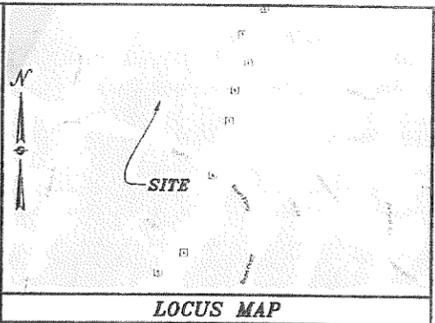
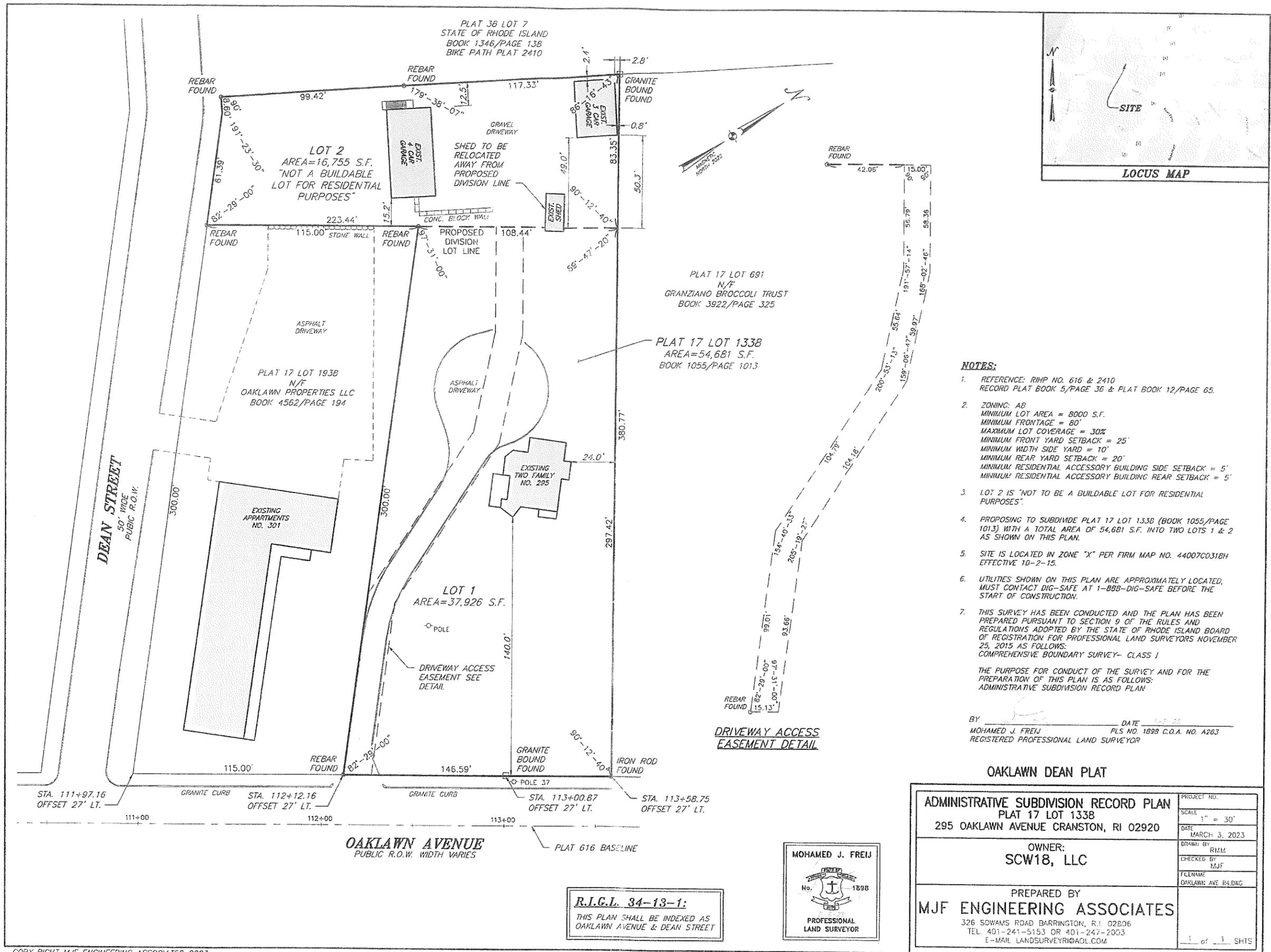
C. The pre-existing 2 family home located on the proposed Lot 1 is 40 feet in height. The Code requires a maximum of 35 feet; thus, the Applicant is requesting a 5 ft. Variance.



View of Garage located South/East



View of Front of Property standing at end of
driveway on Oaklawn Avenue.



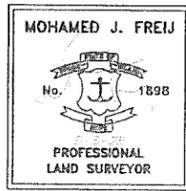
- NOTES:**
- REFERENCE: RHP NO. 616 & 2410 RECORD PLAT BOOK 5/PAGE 36 & PLAT BOOK 12/PAGE 65.
 - ZONING: A8
 MINIMUM LOT AREA = 8000 S.F.
 MINIMUM FRONTAGE = 80'
 MAXIMUM LOT COVERAGE = 30%
 MINIMUM FRONT YARD SETBACK = 25'
 MINIMUM WIDTH SIDE YARD = 10'
 MINIMUM REAR YARD SETBACK = 20'
 MINIMUM RESIDENTIAL ACCESSORY BUILDING SIDE SETBACK = 5'
 MINIMUM RESIDENTIAL ACCESSORY BUILDING REAR SETBACK = 5'
 - LOT 2 IS "NOT TO BE A BUILDABLE LOT FOR RESIDENTIAL PURPOSES".
 - PROPOSING TO SUBDIVIDE PLAT 17 LOT 1338 (BOOK 1055/PAGE 1013) WITH A TOTAL AREA OF 54,681 S.F. INTO TWO LOTS 1 & 2 AS SHOWN ON THIS PLAN.
 - SITE IS LOCATED IN ZONE "X" PER FIRM MAP NO. 44007C0318H EFFECTIVE 10-2-15.
 - UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATELY LOCATED, MUST CONTACT DIG-SAFE AT 1-888-DIG-SAFE BEFORE THE START OF CONSTRUCTION.
 - THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO SECTION 9 OF THE RULES AND REGULATIONS ADOPTED BY THE STATE OF RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS NOVEMBER 25, 2015 AS FOLLOWS:
 COMPREHENSIVE BOUNDARY SURVEY- CLASS 1
 THE PURPOSE FOR CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
 ADMINISTRATIVE SUBDIVISION RECORD PLAN

BY MOHAMED J. FREIJ DATE 3-5-23
 MOHAMED J. FREIJ PLS NO. 1899 C.O.A. NO. A263
 REGISTERED PROFESSIONAL LAND SURVEYOR

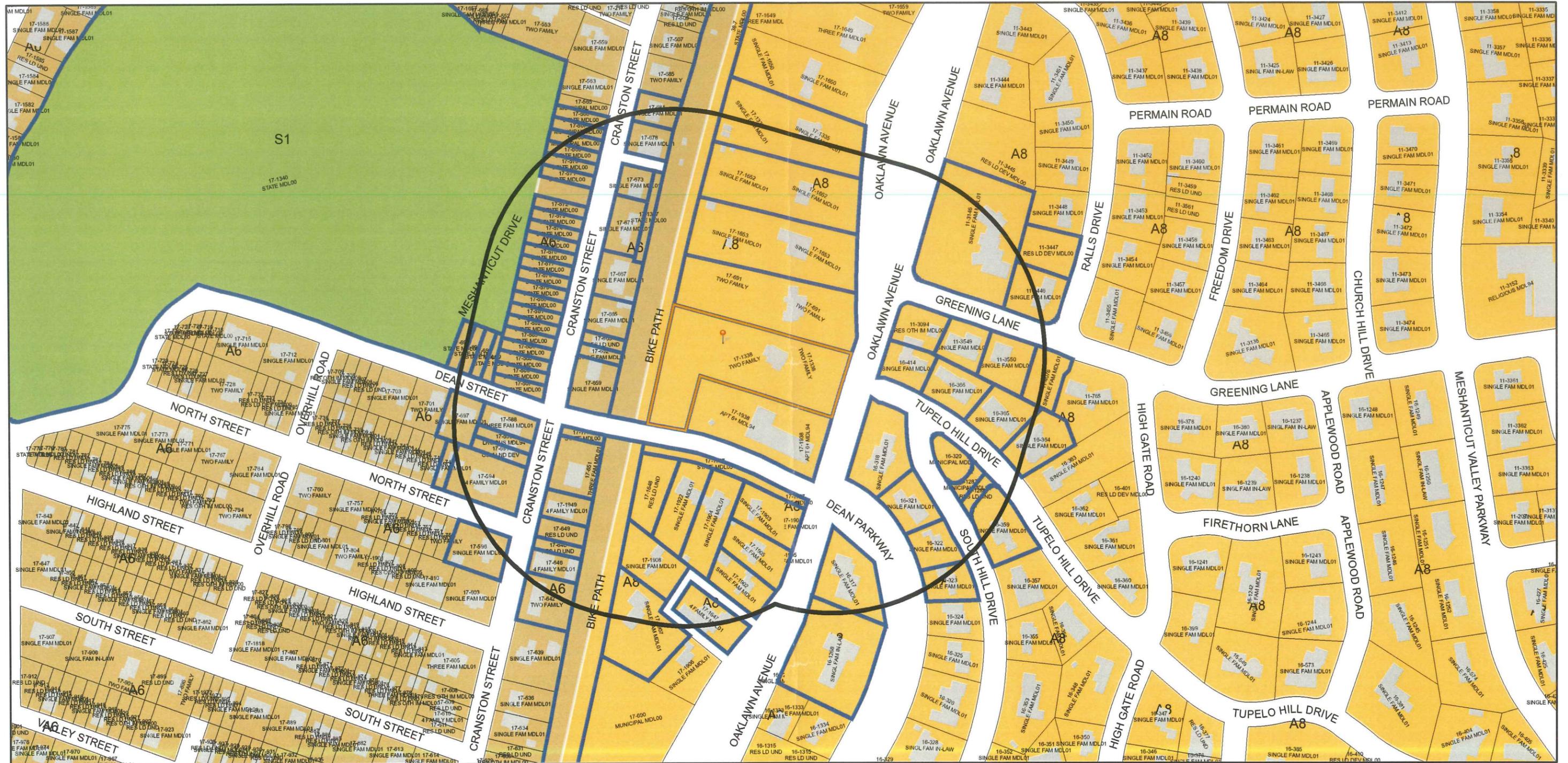
OAKLAWN DEAN PLAT

ADMINISTRATIVE SUBDIVISION RECORD PLAN		PROJECT NO.
PLAT 17 LOT 1338		SCALE 1" = 30'
295 OAKLAWN AVENUE CRANSTON, RI 02920		DATE MARCH 3, 2023
OWNER: SCW18, LLC		DRAWN BY: RIZAM
PREPARED BY MJF ENGINEERING ASSOCIATES		CHECKED BY: MAJF
326 SOWAMS ROAD BARRINGTON, R.I. 02806 TEL. 401-241-5153 OR 401-247-2003 E-MAIL LANDSURVEYR@AOL.COM		FILENAME: OAKLAWN_AVE_R4.DWG
1 of 1 SHEETS		

R.I.G.L. 34-18-1:
 THIS PLAN SHALL BE INDEXED AS
 OAKLAWN AVENUE & DEAN STREET

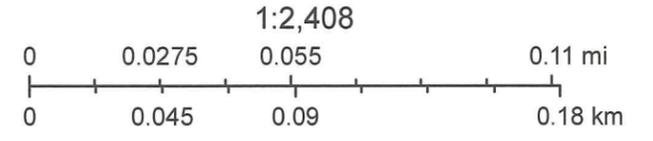


295 Oaklawn Ave 400' Radius Plat 17 Lot 1338



7/7/2022, 8:48:08 AM

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



City of Cranston