

**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: September 6, 2022

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: Annyong Suk Woo

ADDRESS: P.O. Box 8941 Cranston, RI ZIP CODE: 02920

APPLICANT: Annyong Suk Woo

ADDRESS: P.O. Box 8941, Cranston, RI ZIP CODE: 02920

LESSEE: _____

ADDRESS: _____ ZIP CODE: _____

1. ADDRESS OF PROPERTY: 1340 Plainfield Street

2. ASSESSOR'S PLAT #: 12 BLOCK #: _____ ASSESSOR'S LOT #: 406 & 409 WARD: 5

3. LOT FRONTAGE: 89.78' LOT DEPTH: 100' LOT AREA: 10,450 sq.ft.

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: C-2 6,000 sq.ft. 35'
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: 2 stories PROPOSED: 2 stories (new)

6. LOT COVERAGE, PRESENT: 15% PROPOSED: 27%

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 9/11/2018

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

9. GIVE SIZE OF EXISTING BUILDING(S): 30'x30'

10. GIVE SIZE OF PROPOSED BUILDING(S): 40' x 28' +/-

11. WHAT IS THE PRESENT USE? two-family dwelling

12. WHAT IS THE PROPOSED USE? multi-family dwelling

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: four (including existing building)

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: Construct two story addition for two additional dwelling units. Existing garage will be removed.

15. HAVE YOU SUBMITTED PLANS TO THE BUILDING OFFICIAL? Yes

16. WERE YOU REFUSED A PERMIT? Yes

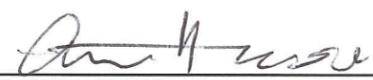
17. PROVISION OR REGULATION OF THE ZONING ORDINANCE OR STATE ENABLING ACT UNDER WHICH APPLICATION FOR EXCEPTION OR VARIANCE IS MADE.

17.20.120 (Schedule of Intensity Regulations); 17.20.090 (Specific requirements); 17.92.010 (Variances) and all other applicable sections of the Zoning Code

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: Proposed addition for two additional dwelling units (total of four units) is a permitted use in C-2 zone. Use is compatible with area and dimensional relief is appropriate for corner lot to allow parking area.

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

RESPECTFULLY SUBMITTED,

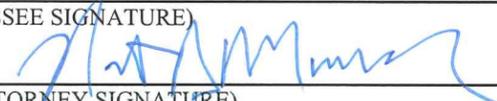

(OWNER SIGNATURE) Annyong Suk Woo

(PHONE NUMBER)

(OWNER SIGNATURE)

(APPLICANT SIGNATURE) Annyong Suk Woo

(PHONE NUMBER)

(LESSEE SIGNATURE)

(ATTORNEY SIGNATURE)

(PHONE NUMBER)

Robert D. Murray, Esq.
(ATTORNEY NAME-PLEASE PRINT)

401-946-3800
(PHONE NUMBER)

ATTORNEY ADDRESS: 21 Garden City Dr., Cranston, RI 02920

PRE-ZONING APPLICATION MEETING: _____
(PLANNING DEPT. SIGNATURE) (DATE)



Individuals requesting services for the hearing impaired
must notify the Office of the Inspector of Buildings at least 48 hours
in advance at 401-780-6012

OFFICE OF THE ZONING BOARD OF REVIEW

Allan W Fung
Mayor

Stanley Pikul
Secretary

Stanley Pikul
Enforcing Officer

Regular meeting on
Second Wednesday

CITY HALL
869 PARK AVENUE
Cranston Rhode Island 02910

Board Members
Chairperson
Steven Minicucci

Paula McFarland
Matthew Gendron
David Imondi
Steven Carrera

Alternate Members
1ST Craig Norcliffe
2ND Lori Carlino
3RD Mark Capuano
4TH Vacant

NOTICE OF DECISION

You are hereby notified that **ROBERT E. GAMBA 175 ROYAL AVENUE, CRANSTON, RI 02920 (OWN/APP)** has filed an application for permission to construct an addition to an existing mixed use building to create two additional dwelling units at **1340 Plainfield Street A/P 12, Lots 406 & 409, zoned C-2**. Applicant seeks relief per 17.92.010 Variances, Section 17.20.120, Section 17.20.120 Schedule of Intensity Regulations. John S. DiBona, Esq. filed 12/7/2016.

This Application was **APPROVED WITH CONDITIONS** on a motion made by P. McFarland and seconded by C. Norcliffe and so voted unanimously by The Board.

Conditions:

- 1) The accessible parking space shall be reviewed and approved by The Building Official to be installed closest to the entrance providing an ADA compliant accessible route.
- 2) Any landscaping and planting areas disturbed as a result of parking reconfiguration shall be reviewed and approved by The Building Official.

****Building permits are required to complete the above relief if approved by ZBR.**

A meeting of the Cranston Zoning Board of Review was called to order in Cranston City Hall 3rd floor Council Chambers by Chairperson Steven Minicucci on **Wednesday January 11, 2017 at 6:30 pm.** Also present Paula McFarland, Steven Carrera, Matthew Gendron, 1st Alternate Craig Norcliffe, 3rd Alternate Mark Capuano and 4th Josh Catone. J. Patrick O'Neill Esq. was Counsel to the Board. The Board heard the following applications;

PAULA HEBERT 17 SCENIC DRIVE CRANSTON, RI 02920 (OWN/APP)
ROBERT E. GAMBA 175 ROYAL AVENUE, CRANSTON, RI 02920 (OWN/APP)
ALFRED CARPIONATO 1414 ATWOOD AVENUE, JOHNSTON, RI 02919
BIGNEY AND BARROS PROPERTIES LLC 334 EAST AVENUE PAWTUCKET RI 02860
(OWN/APP) AND NURSING PLACEMENT INC 334 EAST AVENUE PAWTUCKET RI 02860
(LESSEE)

WARD 6

PAULA HEBERT 17 SCENIC DRIVE CRANSTON, RI 02920 (OWN/APP) has filed an application for permission to construct a 36'x26' second story addition to a single family dwelling to be used as an accessory family dwelling unit at **17 Scenic Drive**. A/P 15/2, lot 1135, area 8,000 +/- SF, zoned A-8. Applicant seeks relief per 17.92.010 Variances, Section 17.24.010 (F) 1. Accessory Family Apartments. Filed 11/14/2016

Upon a request made by a representative of the applicant, this application was **CONTINUED** to the **March 8, 2017** meeting on a motion made by P. McFarland, seconded by S. Carrera and so voted unanimously by The Board.

WARD 5

ROBERT E. GAMBA 175 ROYAL AVENUE, CRANSTON, RI 02920 (OWN/APP) has filed an application for permission to construct an addition to an existing mixed use building to create two additional dwelling units at **1340 Plainfield Street A/P 12**, Lots 406 & 409, zoned C-2. Applicant seeks relief per 17.92.010 Variances, Section 17.20.120 Schedule of Intensity Regulations. John S. DiBona, Esq. filed 12/7/2016.

This Application was **APPROVED WITH CONDITIONS on a motion** made by P. McFarland and seconded by C. Norcliffe and so voted unanimously by The Board.

Conditions:

- 1) The accessible parking space shall be reviewed and approved by The Building Official to be installed closest to the entrance providing an ADA compliant accessible route.
- 2) Any landscaping and planting areas disturbed as a result of parking reconfiguration shall be reviewed and approved by The Building Official.

Decision:

The Board made the following finding of fact based upon the evidence in the record as submitted to The Board and presented at the hearing:

1. The 2010 Comprehensive Plan Future Land Use Map designates this area of Plainfield Street as Highway Commercial, which does not permit multi-family residential, but does allow residential use above commercial uses on the first floor.
2. The existing use is commercial (day spa) on the first floor and one residential unit on the second floor.
3. The existing C-2 Neighborhood Commercial zone, does permit multi-family dwellings.
4. The existing garage on Fletcher Avenue will be removed to provide parking for 3 cars.
5. The site plan shows 6 parking spaces for the residential use and 5 spaces for the health spa for a total of 11 parking spaces.
6. The proposed 40'-6" x 28', 2 story addition meets the required rear yard setback requirement of 20 ft.; however, the proposed new 1 story entry addition does not, as it is located 16' from the property line.
7. The proposed side yard setback is 12', where 8' is required.
8. Per the Zoning Ordinance requirements for mixed commercial/residential uses, 6,000 sq. ft. is required for the Commercial use, plus 6,000 sq. ft. for the 3 residential uses (2,000 sq. ft. per unit), for a required lot size of 12,000 sq. ft.
9. The area of the lot is 10,450 sq. ft.; therefore, the application's lot size is 1,550 sq. ft. short of the required lot size for the proposed uses.
10. There was no testimony in opposition to the application.

In this case, the Board further finds that the application involves a hardship that is due to the unique characteristics of the property, and is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, is the least relief necessary, and that the Board finds that the applicant has met their legal burden with respect to the requirements necessary for the applicable relief. In conclusion based upon the testimony and the documentation in the record, the Board unanimously voted to **grant** the requested relief from Sections; 17.92.010 Variance and 17.20.120 Schedule of Intensity.

WARD 5

ALFRED CARPIONATO 1414 ATWOOD AVENUE, JOHNSTON, RI 02919 has filed an application to construct six multi-unit residential buildings totaling 152 units at **0 Scituate Avenue A/P 20/1 Lot 2128, and A/P 12/6, Lot 3108, Zoned B-2**. Applicant seeks relief per Section 17.92.010 Variances, section 17.20.120 Schedule of Intensity Regulations. John S. DiBona, Esq. filed 12/7/2016

This application was **APPROVED** on a motion made by P. McFarland and seconded by S. Carrera and so voted unanimously by The Board.

Decision:

The Board made the following finding of fact based upon the evidence in the record as submitted to The Board and presented at the hearing:

1. The development contains six buildings: three, 3-story buildings with 24 units each; one, 4-story building with 24 units; and two, 4-story buildings with 28 units each. Three buildings will have a 50' height, and 3 buildings will have a maximum height of 64'.
2. The 64' height of the 4-story buildings, only appears on the rear of those buildings because a drop in contour allows for walk out units in the rear. The front of those buildings are actually 3 stories and 50' from finished grade.
3. This site is adjacent, and connected, to the multi-family apartment complex known as Champlin Hills, which received a height variance for a 4 story, 63 ft. high building last year.
4. This multi-family proposal is allowed by-right within the **B-2** zoning district.
5. The proposed use conforms to the surrounding neighborhood as a multi-family development situated among other high density multi-family housing developments, ranging in height between 2 stories and 4 stories.
6. The proposed major land development and its resulting density of approximately 9.0 residential units per acre is consistent with the City of Cranston Comprehensive Plan's Future Land Use Map which designates the subject parcel as "*Residential*" allowing less than 10.89 residential units per acre".
7. The project received Development Plan Review approval on October 5, 2016.
8. There was no testimony in opposition to the application.

In this case, the Board further finds that the application involves a hardship that is due to the unique characteristics of the property, and is not due to a physical or economic disability of the applicant, that the hardship does not result primarily from the desire of the applicant to realize greater financial gain, will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the comprehensive plan, is the least relief necessary, and that the Board finds that the applicant has met their legal burden with respect to the requirements necessary for the applicable relief. In conclusion based upon the testimony and the documentation in the record, the Board unanimously voted to **grant** the requested relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity, Section 17.24.010(G), Commercial, Institutional, and Multi-Family Building Height.

WARD 2

BIGNEY AND BARROS PROPERTIES LLC 334 EAST AVENUE PAWTUCKET RI 02860 (OWN/APP) AND NURSING PLACEMENT INC 334 EAST AVENUE PAWTUCKET RI 02860 (LESSEE) have filed an application for permission to install an LED electronic message board at **480 Reservoir Avenue, AP 6/2, lot 1446, area 5000+- SF, zoned C-4**. Applicant seeks relief from Section 17.92.010 Variance, 17.20.120 Schedule of Intensity, 17.92.010 Signs. Stephen J Litwin Esq. filed 12/9/2016.

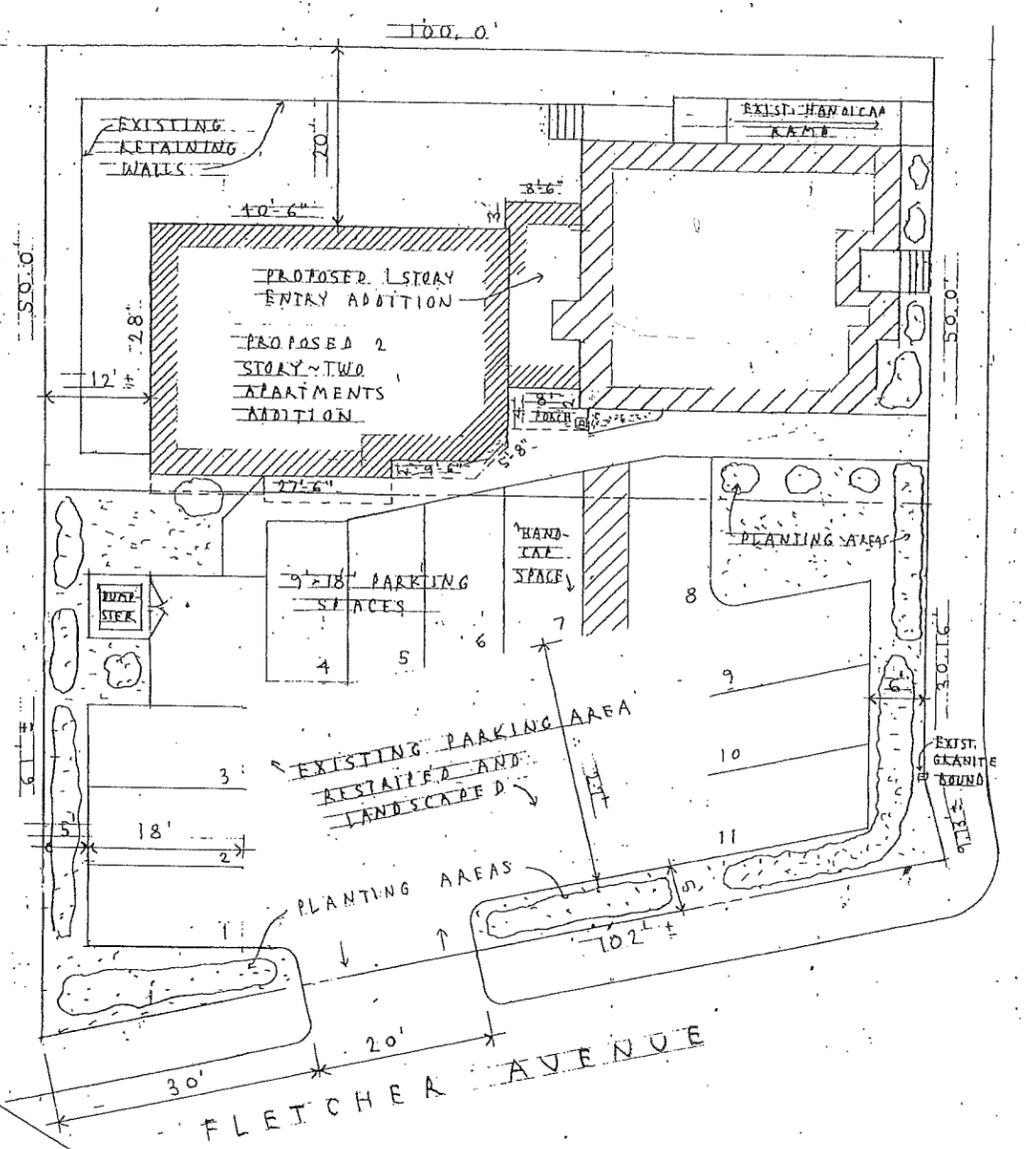


PROPOSED ADDITION
EXISTING BUILDING
FRONT (PLAINFIELD STREET) ELEVATION
SCALE: 1/8" = 1'-0"



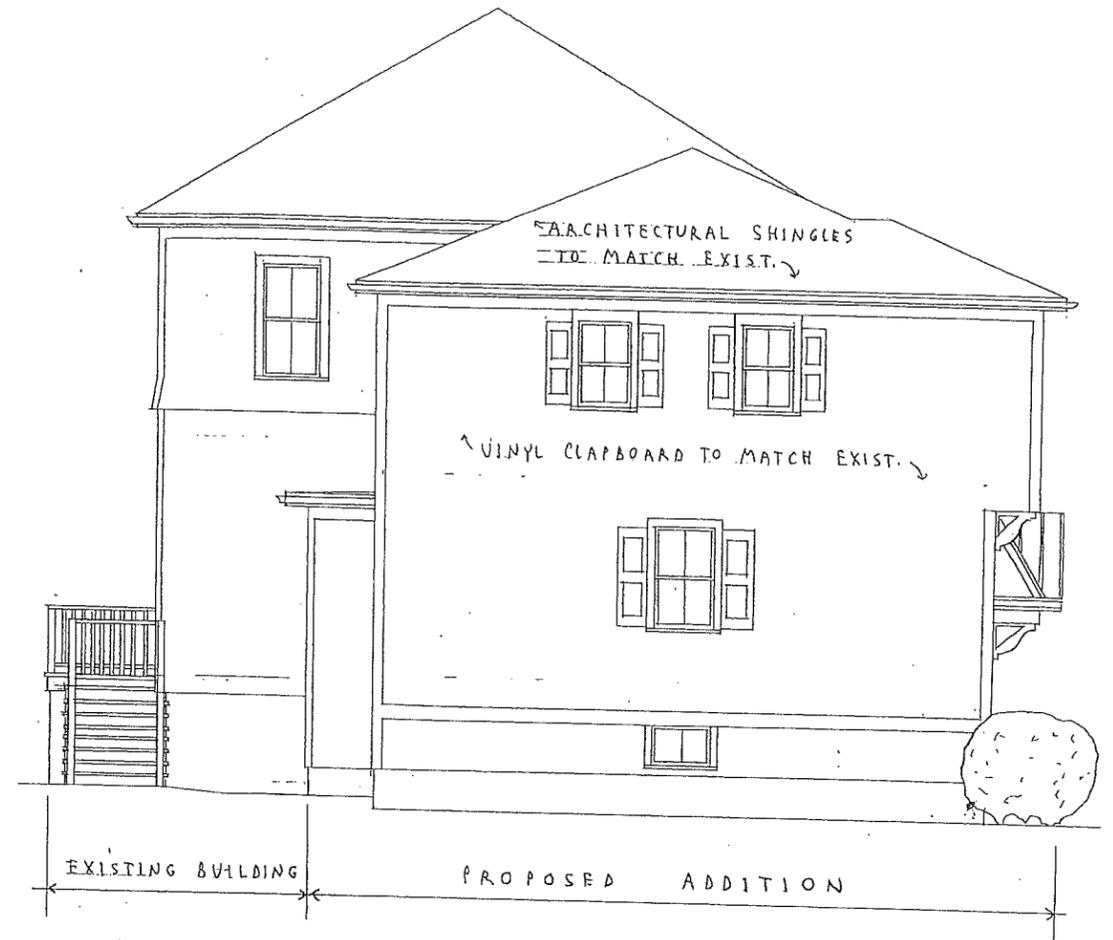
PROPOSED ADDITION
EXISTING BUILDING
FRONT (FLETCHER AVENUE) ELEVATION
SCALE: 1/8" = 1'-0"

SITE PLAN
SCALE: 1" = 20'-0"



PROPOSED TWO FAMILY
ADDITION
BUILDING
ANNWOOD
1340 PLAINFIELD STREET
CRANSTON, RHODE ISLAND

CHRISTOPHER BLEYER
RESIDENTIAL DESIGNER
256 FARNUM PLKE, SMITHFIELD,
RHODE ISLAND 02917
401-232-9628



LEFT SIDE (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0"



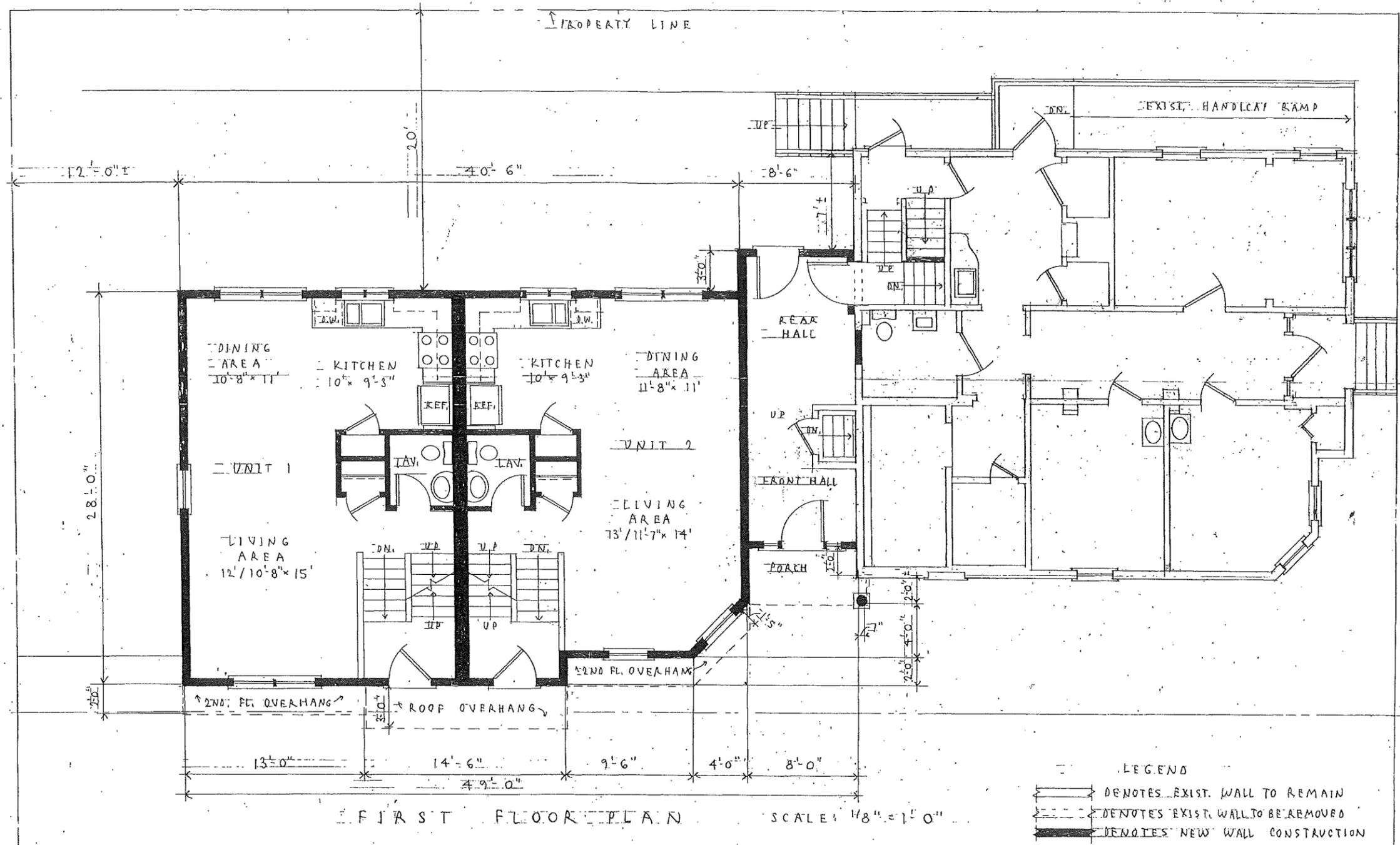
REAR (WEST) ELEVATION
SCALE: 1/8" = 1'-0"

PROPOSED TWO-FAMILY

ANN WOO
1340 PLAINFIELD STREET
CRANSTON, RHODE ISLAND

CHRISTOPHER BLEYER
RESIDENTIAL DESIGNER
256 FARNUM PIKE, SMITHFIELD, RHODE ISLAND 02917
401-232-9628

DATE: 7-2016
SHEET
2
OF 4

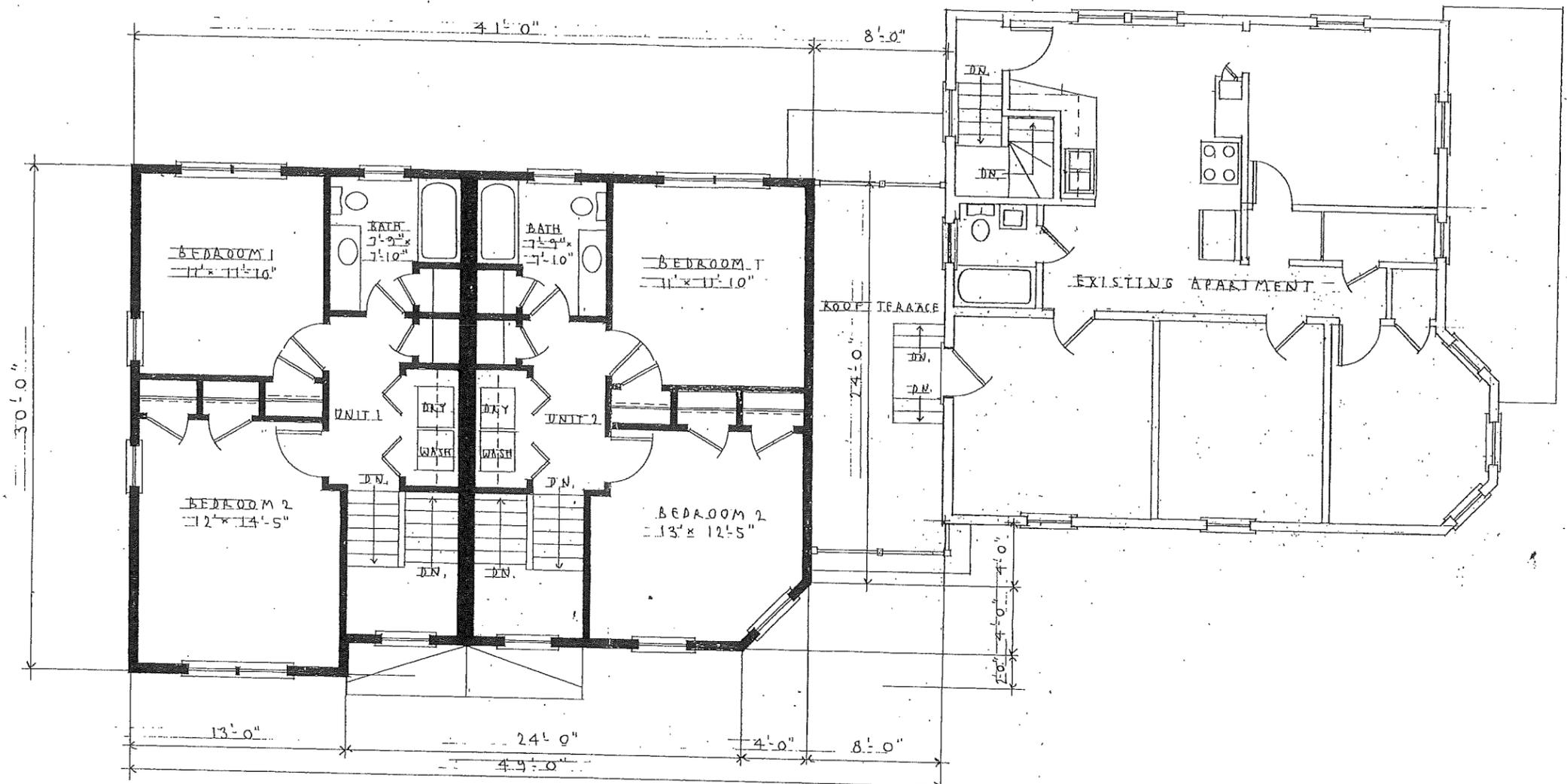


CHRISTOPHER BLEYER ~ RESIDENTIAL DESIGNER
 156 FAANUM PIKE, SMITHFIELD, R.I.
 02917 ~ 401-232-9628

PROPOSED TWO FAMILY ADDITION

1340 PLAINFIELD ST., CRANSTON, R.I.

IT-7-2016
 SHEET
 3
 OF 4



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

CHRISTOPHER BLEYER ~ RESIDENTIAL DESIGNER
 756 FARNUM PIKE, SMITHFIELD, R.I.
 02917 ~ 401-232-9628

PROPOSED TWO FAMILY ADDITION
 ANN WOOD
 1340 PLAINFIELD ST, CRANSTON, R.I.
 11-7-2016 SHEET 4 OF 4

REFERENCES:

CITY CLERK'S OFFICE
 PLAT CARD 46 ENTITLED
 "BROWN PLAT"
 DEED BOOK 5159, PAGE 140
 CITY ENGINEER'S OFFICE
 FILE DR. "B", SHEET 25
 R.I. DEPT. OF TRANSPORTATION
 HIGHWAY PLAT #760

ZONING NOTES:

LOTS 406 & 409 ARE LOCATED IN A C-2 ZONE
 C-2 ZONING REQUIREMENTS: (LIGHT COMMERCIAL)
 AREA 6,000 S.F. MIN.
 FRONTAGE 60' MIN.
 FRONT SETBACK 25' MIN.
 REAR SETBACK 20' MIN.
 SIDE SETBACK 8' MIN.
 BLDG. HEIGHT 35' MAX.
 LOT COVERAGE 60% MAX.

ON-SITE PARKING NOTES:

NO CHANGES TO CURB CUTS/ LOT ENTRANCES ARE PROPOSED AT THIS TIME.

PARKING REQUIRED:

EXISTING BUSINESS = 1,060 S.F.
 1 SPACE REQUIRED FOR EACH 300 S.F. - 4 SPACES
 RESIDENTIAL UNITS = 3
 2 SPACE REQUIRED FOR EACH UNIT - 6 SPACES
 TOTAL NUMBER OF ALL SPACES REQUIRED = 10

PARKING PROVIDED:

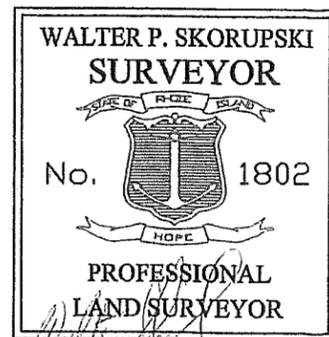
VAN ACCESSABLE HANDICAP SPACE = 1 (16'x18')
 PARKING SPACES = 10
 ALL SPACES MEASURE 9'x18'
 TOTAL NUMBER OF ALL SPACES = 11

PROPOSED LOT COVERAGE CALCS:

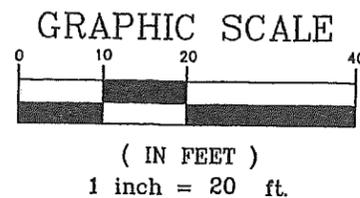
EXISTING BUILDING	1,060 S.F.
EXISTING DECK	44 S.F.
PROPOSED ADDITION	1,347 S.F.
TOTAL AREA	2,451 S.F.
TOTAL LOT COVERAGE	
2,451 S.F./10,450 S.F. = 23.5%	

FEMA INFO:

LOTS 406 & 409 ARE LOCATED WITHIN A DESIGNATION
 "X" (AREAS OF MINIMAL FLOODING) ZONE
 PER F.I.R.M. 44007C0311H, 10 /02 / 2015.

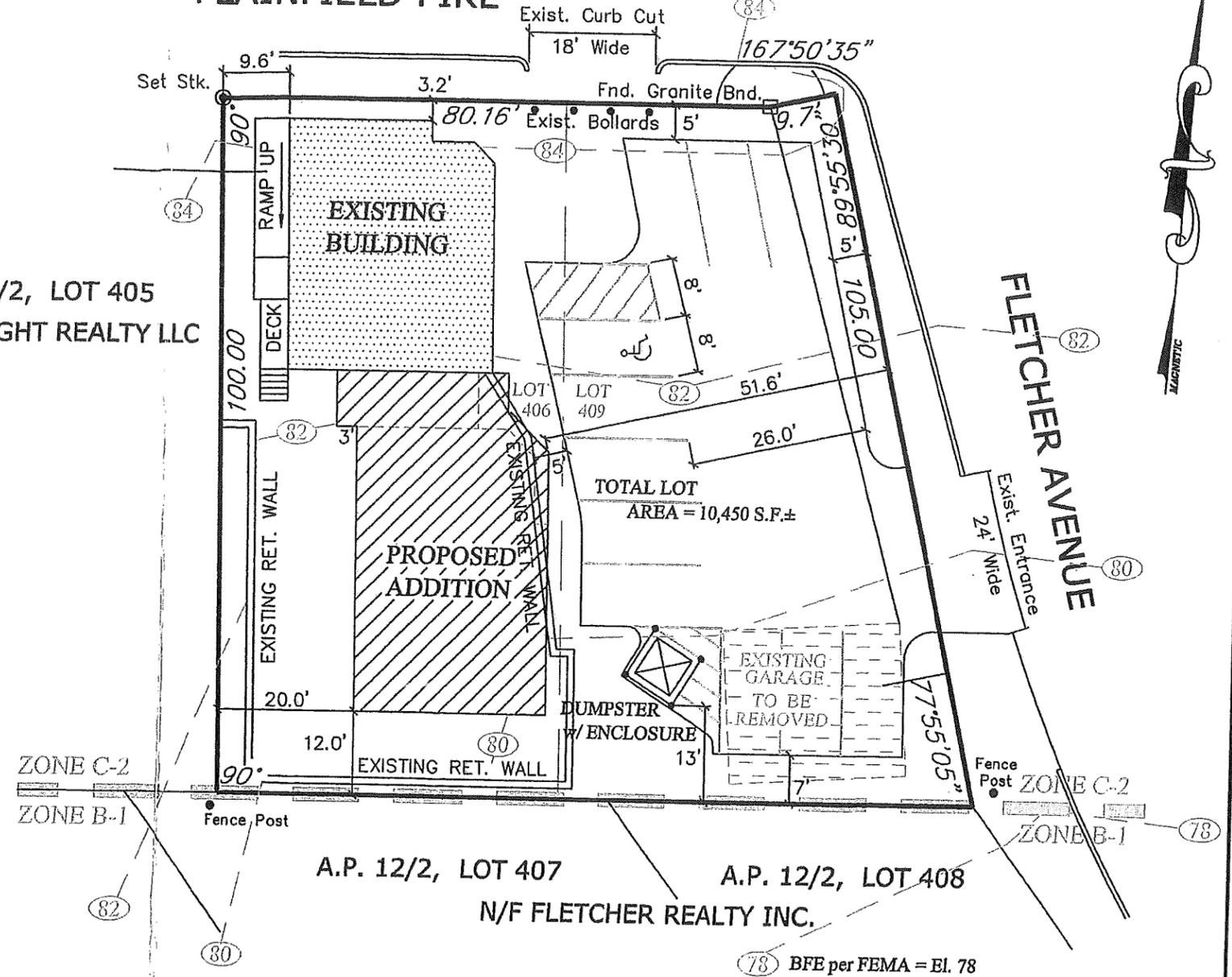


This survey and plan conforms to a class I standard as adopted by
 the Rhode Island Board of Registration for Professional Land Surveyors
 By: *Walter P. Skorupski* 10/30/2016 Date
 Registered Professional Land Surveyor



A.P. 12/2, LOT 405
 N/F STARLIGHT REALTY LLC

PLAINFIELD PIKE



A.P. 12/2, LOT 407

N/F FLETCHER REALTY INC.

A.P. 12/2, LOT 408

78 BFE per FEMA = El. 78

OWNER:
 ROBERT E. GAMBA
 175 ROYAL AVENUE
 CRANSTON, R.I. 02920

SURVEYOR:
 WALTER SKORUPSKI
 7 WESSEX STREET
 CRANSTON, R.I. 02910

**SURVEY AND
 PROPOSED SITE PLAN**
 CITY OF CRANSTON
 1340 PLAINFIELD PIKE
 ASSESSOR'S PLAT 12/2
 LOTS 406 & 409
 OCTOBER, 2016