

**City of Cranston
Zoning Board of Review
Application**

**RECEIVED
JUN 07 2021
BUILDING INSPECTIONS**

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: June 1, 2021

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: Nicholas J. Guadagno

ADDRESS: 2 Palou Drive, North Providence, RI ZIP CODE: 02904

APPLICANT: Nicholas J. Guadagno

ADDRESS: 2 Palou Drive, North Providence, RI ZIP CODE: 02904

LESSEE: _____

ADDRESS: _____ ZIP CODE: _____

1. ADDRESS OF PROPERTY: 142 Chestnut Hill Avenue

2. ASSESSOR'S PLAT #: 8/3 BLOCK #: _____ ASSESSOR'S LOT #: 1443 WARD: 3

3. LOT FRONTAGE: 60' LOT DEPTH: 80' LOT AREA: 4800 sq ft

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: B-1 8,000 35'
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: 2 stories PROPOSED: no change

6. LOT COVERAGE, PRESENT: 22.% PROPOSED: 22%

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 8/18/2010

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

9. GIVE SIZE OF EXISTING BUILDING(S): 36' x 28' (approx)

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

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

12. WHAT IS THE PROPOSED USE? three family dwelling unit

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

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: Applicant proposes no structural
alterations to building. Basement unit existed at time of acquisition.

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. 17.20.030 (Schedule of Uses)
17.20.090 (Specific requirements); 17.20.120 (Schedule of intensity regulations);
17.92.010 Variance) and all other applicable sections
of zoning code

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: Applicant seeks use variance to
legalize an existing third unit in basement that existed attime of purchase in 2010.
Building is non-conforming for area and setback requirements. Proposed use is compatible
with area and adequate parking can be provided.

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

RESPECTFULLY SUBMITTED,

Nicholas Guadagno
(OWNER SIGNATURE)

255-9453
(PHONE NUMBER)

Nicholas Guadagno
(APPLICANT SIGNATURE)

255-9453
(PHONE NUMBER)

[Signature]
(ATTORNEY SIGNATURE)

946-3800
(PHONE NUMBER)

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

ATTORNEY ADDRESS: 21 Garden City Drive, Cranston, RI 02920

PRE-ZONING APPLICATION MEETING:

[Signature]
(PLANNING DEPT. SIGNATURE)

6-7-21
(DATE)

NICHOLAS J. GUADAGNO ("OWNER/APPLICANT")

142 Chestnut Hill Avenue

Cranston, RI 02920

AP No. 8/3 Lot 1443

RECEIVED

JUN 07 2021

BUILDING INSPECTIONS

PROJECT NARRATIVE

This project narrative is offered in connection with the application of Nicholas J. Guadagno to legalize a pre-existing third unit in basement at 142 Chestnut Hill Avenue.

The third unit existed in the property when the applicant acquired the property in 2010. It is taxed by the Cranston Tax Assessor as a three family dwelling and has been at least since 2006 (based on a review of the available field cards). It has been taxed on the city sewer roll as a three family dwelling since 2009. The property is in a B-1 zone

No alterations or structural plans are proposed. The third unit exists in basement but is unoccupied.

Dimensional variances for undersized lot and front and side setbacks are requested. The other B-1 zone setbacks can be met.

The B-1 zone is a single family or two family district under the zoning code. The title card from 1954 in the tax assessor's office shows two units that predate zoning. Therefore the third unit would be an expansion of a legal non-conforming use and would require a use variance.

A three family unit building requires six (6) parking spaces and are provided as seen on the site plan.

The following variances are sought from the Zoning Board of Review

17.20.030 (Schedule of Uses)

Three family dwellings are not permitted in a B-1 zone.

17.20.090 (Specific requirements)

For multi-family dwellings six thousand (6,000) square feet is need for the first unit and the additional two units would require four thousand (4,000) square feet for a total of fourteen thousand (14,000) square feet. The subject lot has only four thousand (4,800) square feet.

17.20.120 (Schedule of intensity regulations)

The existing legal non-conforming lot is undersized at 4,800 square feet for the B-1 zone. Dimensional relief is needed for area.

The existing structure built in 1920 is on the front property line and does not meet the front setback of twenty five (25) feet. The side setback on the west side of the property is only four (4) feet rather than the required eight (8) feet in the B-1 zone.

17.92.010 Variance for use and dimensional relief

Proposed three family dwelling requires a use variance.

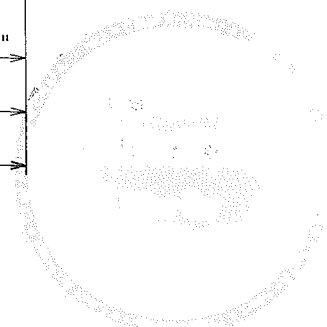
Revised 6-7-21

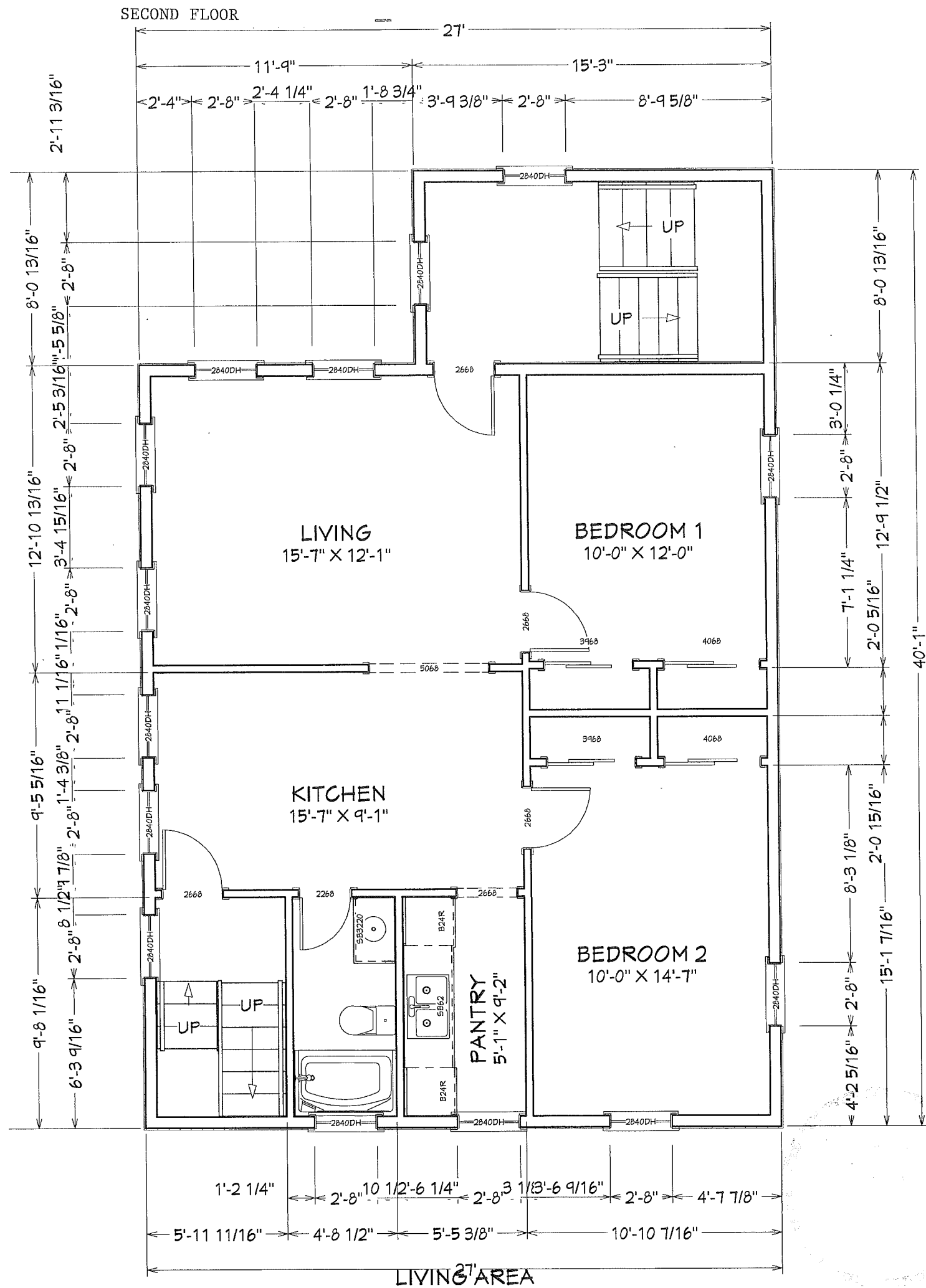


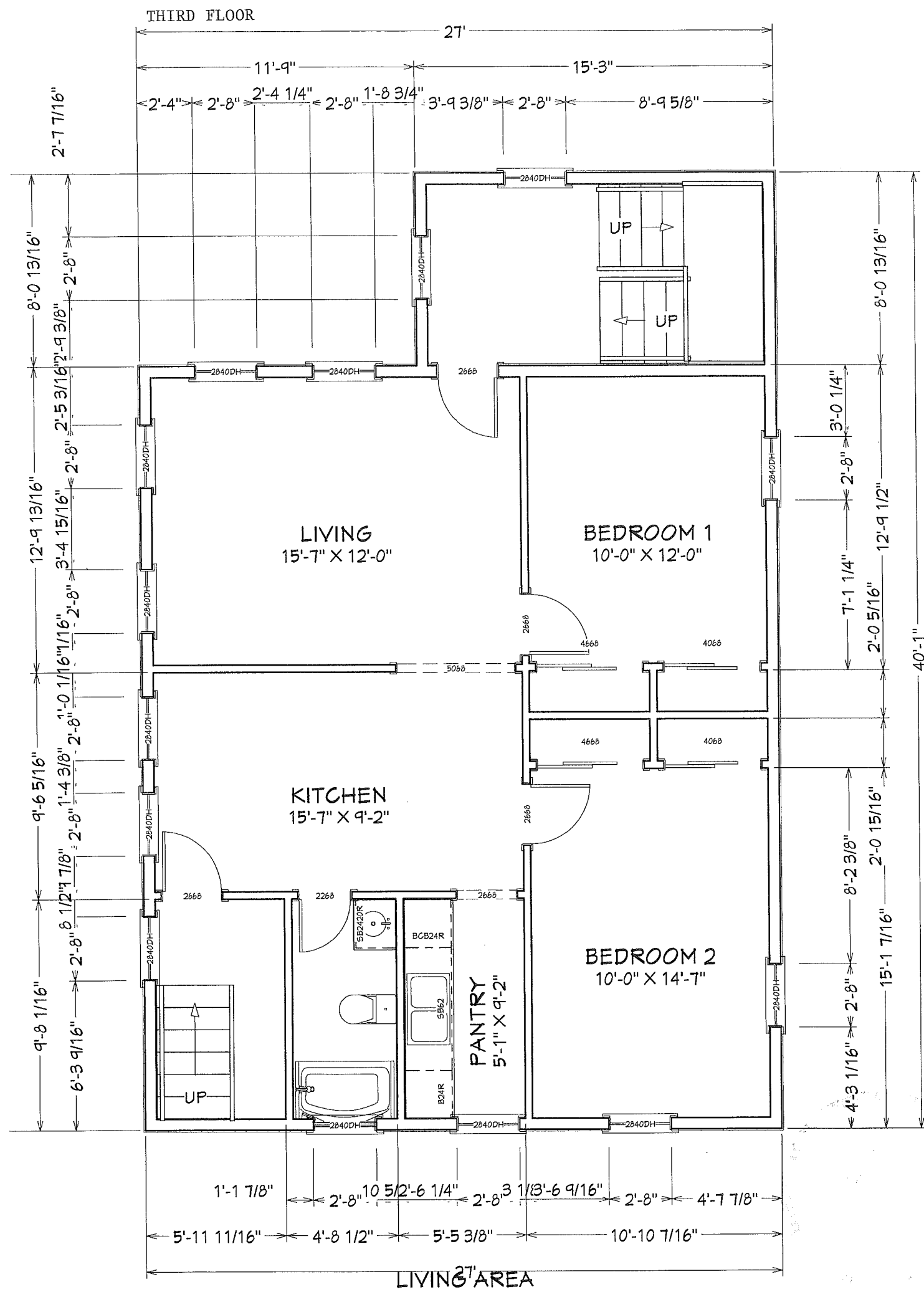












NICHOLAS J. GUADAGNO (“OWNER/APPLICANT”)

**142 Chestnut Hill Avenue
Cranston, RI 02920
AP No. 8/3 Lot 1443**

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17.92.010 Variance for use and dimensional relief

Proposed three family dwelling requires a use variance.

Revised 6-7-21

NICHOLAS J. GUADAGNO (“Owner/Applicant”)
142 Chestnut Hill; Avenue, Cranston, RI 02920

NEIGHBORHOOD ANALYSIS

This analysis is compiled to review the land uses and lot sizes within the 400’ radius of the subject application for the property at 142 Chestnut Hill Avenue designated as Lot No. 1443 on Assessor’s Plat No. 8.

The property is located in a B-1 zone and is surrounded by a mixed neighborhood of housing choices, land uses and businesses. The Tax Assessor identifies the following land uses in the area.

There are seventy 106 parcels (including the subject lot) and they breakdown as follows:

<u>TYPES OF LAND USES</u>	<u>NUMBER OF PARCELS</u>
SINGLE FAMILY	37
TWO FAMILY	28
THREE FAMILY	7
FOUR FAMILY	2
MIXED USE	1
RESIDENTIAL LAND DEVELOPED	3
RESIDENTIAL LAND UNDEVELOPED	20
RESIDENTIAL LAND OTHER	1
SMALL BUSINESS	2
LARGE BUSINESS	2
MUNICIPAL	2
CHARITABLE	<u>1</u>
	106

Excluding the two sizable City of Cranston lots (front of Arlington School 8/1278 and Calise Field 8/2745) and the Cranston Street Hockey League lot (8/2797), the average lot size within the 400’ radius is 5,158 square feet. The average lot size for the seven (7) **three family** dwellings within the radius is 5,083 square feet.

Prepared by:
Robert D. Murray, Esq.
Taft & McSally LLP
21 Garden City Drive
Cranston, RI 02920
(401) 946-3800 (O) rdmurray@taftmcsally.com

Dated: 6-2-21

Sewer Roll Properties

Plat: 8 Lot: 1443 Condo: 0				Fee: \$1,390.30
142 Chestnut Hill Avenue, Cranston	Three-Family Dwelling			
	1.000000	D	\$1,390.30	01/01/2009
3/12/09: Per Assessor: (D)-Three family.				

2

LOT 1443

seseh & wf. Katherine (J.T.)

143

01

RECORD OF OWNERSHIP	DATE	BOOK	PAGE	PROPERTY INFORMATION
				LAND COST
				BLDG. COST
				SALE PRICE
				RENT
				EXPENSE
				NET RENT
				LAND @ % =
				BLDG. @ % =
				TOTAL

ASSESSMENT RECORD										LAND VALUE COMPUTATIONS AND SUMMARY													
LAND			LAND			LAND			LAND			CLASSIFICATION		NO. OF ACRES		RATE		TOTAL					
LAND	BLDG	TOTAL	LAND	BLDG	TOTAL	LAND	BLDG	TOTAL	LAND	BLDG	TOTAL	TILLABLE	PASTURE	WOODLAND	WASTE LAND	HOMESITE	TOTAL ACREAGE	FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACTOR	FRONT FT PRICE	
2.80	5680	5960	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700
2.80	5680	5960	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700
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2.80	5680	5960	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1.00	500	700	1					

URBAN PROPERTY				RURAL PROPERTY			
TOPOGRAPHY		IMPROVEMENTS		TOPOGRAPHY	LEVEL	ROLLING	LEDGE
LEVEL		✓	WATER	SOIL TYPE	LOAM	SAND	CLAY
HIGH			SEWER	LAND CLASS	GOOD	FAIR	POOR
LOW			GAS	DRAINAGE	GOOD	FAIR	POOR
ROLLING			ELECTRICITY	WATER SUPPLY	GOOD	FAIR	POOR

						LAND VALUE COMPUTATIONS AND SUMMARY						
STREET		TREND OF DISTRICT	ELECTRICITY	GOOD	FAIR	NONE	CLASSIFICATION	NO. OF ACRES	RATE	TOTAL		
PAVED	<input checked="" type="checkbox"/>	IMPROVING	TELEPHONE	YES	NO		TILLABLE					
ENH-IMPROVED		STATIC		YES	NO		PASTURE					
DIRT		DECLINING	ROAD	PAVED	IMPR	DIRT	WOODLAND					
IDEWALK	<input checked="" type="checkbox"/>						WASTE LAND					
							HOMESITE					
							TOTAL ACREAGE					
							FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACTOR	FRONT FT PRICE	
							50	50	1.00	67	1800	9000
							A= 4800 ft					
							C. I.					
							TOTAL VALUE LAND			320	1024	1024
							TOTAL VALUE BUILDINGS			500	1500	1500
							TOTAL VALUE LAND & BUILDINGS			820	2524	2524

BOOKS BY
GORDON
L. ZILBES

[illegible]

Vision ID: 13079

Account #03243115

BI

Sec #: 1

1 Card 1 of 1

Print Date: 04/29/2006 01:06

CURRENT OWNER CACCCHIOTTI PETER A & WF BARBARA A VESEY (T/E) 44 PHENIX RIDGE DR CRANSTON, RI 02921 Additional Owners:										CURRENT ASSESSMENT				5403 CRANSTON, RI															
TOPO.										UTILITIES		STRT./ROAD		LOCATION		Description		Appraised Value		Assessed Value									
4 Rolling										1 All Public		1 Paved		2 Suburban		RESIDENTL		213,000		213,000									
2 Above Street																RES LND		73,600		73,600									
SUPPLEMENTAL DATA																													
Other ID:										GIS ID		8-1443																	
CEN TRACK 147										PROP ID		8-1443-0																	
CEN BLOCK 217																													
NHBD 1100																													
TYPE OF DEED																													
DEED DATE																													
GIS ID: 13079										ASSOC PID#																			
RECORD OF OWNERSHIP										BK-VOL/PAGE		SALE DATE		SALE PRICE		V.C.		Yr.		Code		Assessed Value		Yr.		Code		Assessed Value	
CACCCHIOTTI PETER A &																0		2005		0203		105,500		2004		0203		99,600	
																		2005		0203		34,600		2004		0203		34,600	
</																													

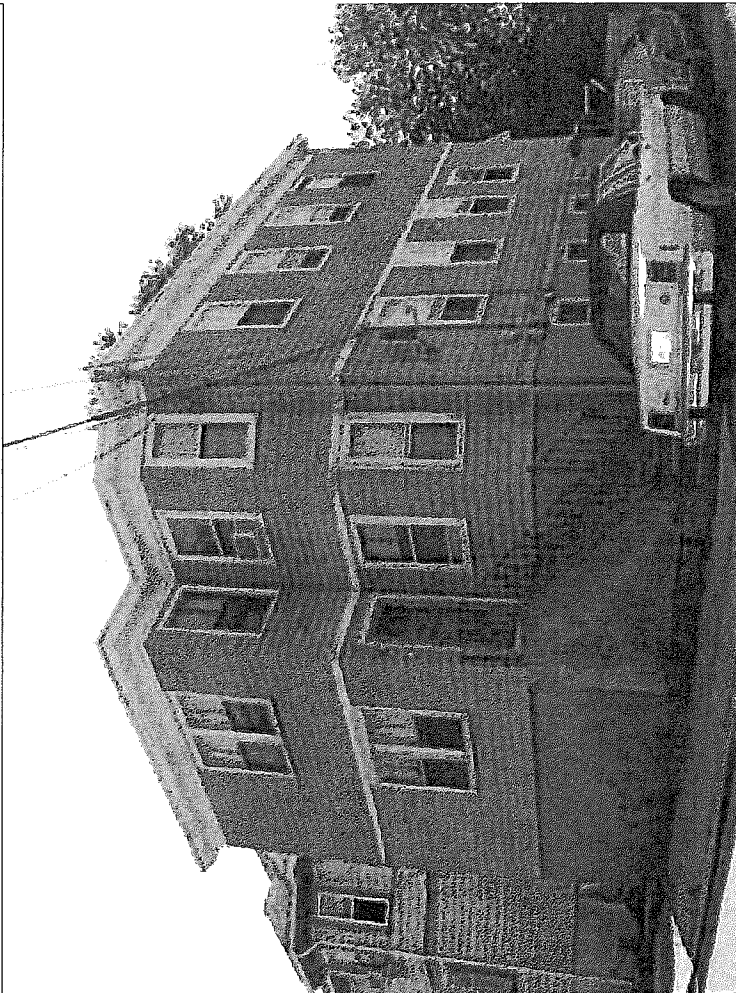
CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)							
Element	Cd.	Ch. Description	Element	Cd.	Ch. Description					
Style Model Grade Stories Occupancy Exterior Wall 1 Exterior Wall 2 Roof Structure Roof Cover Interior Wall 1 Interior Wall 2 Interior Flr 1 Interior Flr 2 Heat Fuel Heat Type AC Type Total Bedrooms Total Bthrms Total Half Baths Total Xtra Fixtrs Total Rooms Bath Style Kitchen Style	09	Family Flat								
	01	Residential								
	03	Average								
	2	2 Stories								
	3									
	25	Vinyl Siding								
	01	Flat								
	04	T & G/Rubber								
	03	Plastered								
			COST/MARKET VALUATION							
			Adj. Base Rate: 99.34							
			Section. RCN: 266,231							
			Net Other Adj: 0.00							
			Replace Cost 266,231							
			AYB 1920							
			EYB 1985							
			Dep Code G							
			Remodel Rating							
			Year Remodeled							
			Dep % 20							
			Functional ObsInc 0							
			External ObsInc 0							
			Cost Trend Factor 1							
			Status							
			% Complete							
			Overall % Cond 80							
			Apprais Val 213,000							
			Dep % Ovr 0							
			Dep Ovr Comment							
			Misc Imp Ovr 0							
			Misc Imp Ovr Comment							
			Cost to Cure Ovr 0							
			Cost to Cure Ovr Comment							
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)										
Code	Description	Sub	Sub Description	L/B Units	Unit Price Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION										
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value				
BAS	BAS	1,055	1,055	1,055	99.34	104,804				
FRB	Fin Raised Bsmt	0	896	538	59.65	53,445				
FUS	Upper Story, Finished	1,055	1,055	1,055	99.34	104,804				
UBM	Basement, Unfinished	0	159	32	19.99	3,179				

FUS
BAS
FRB

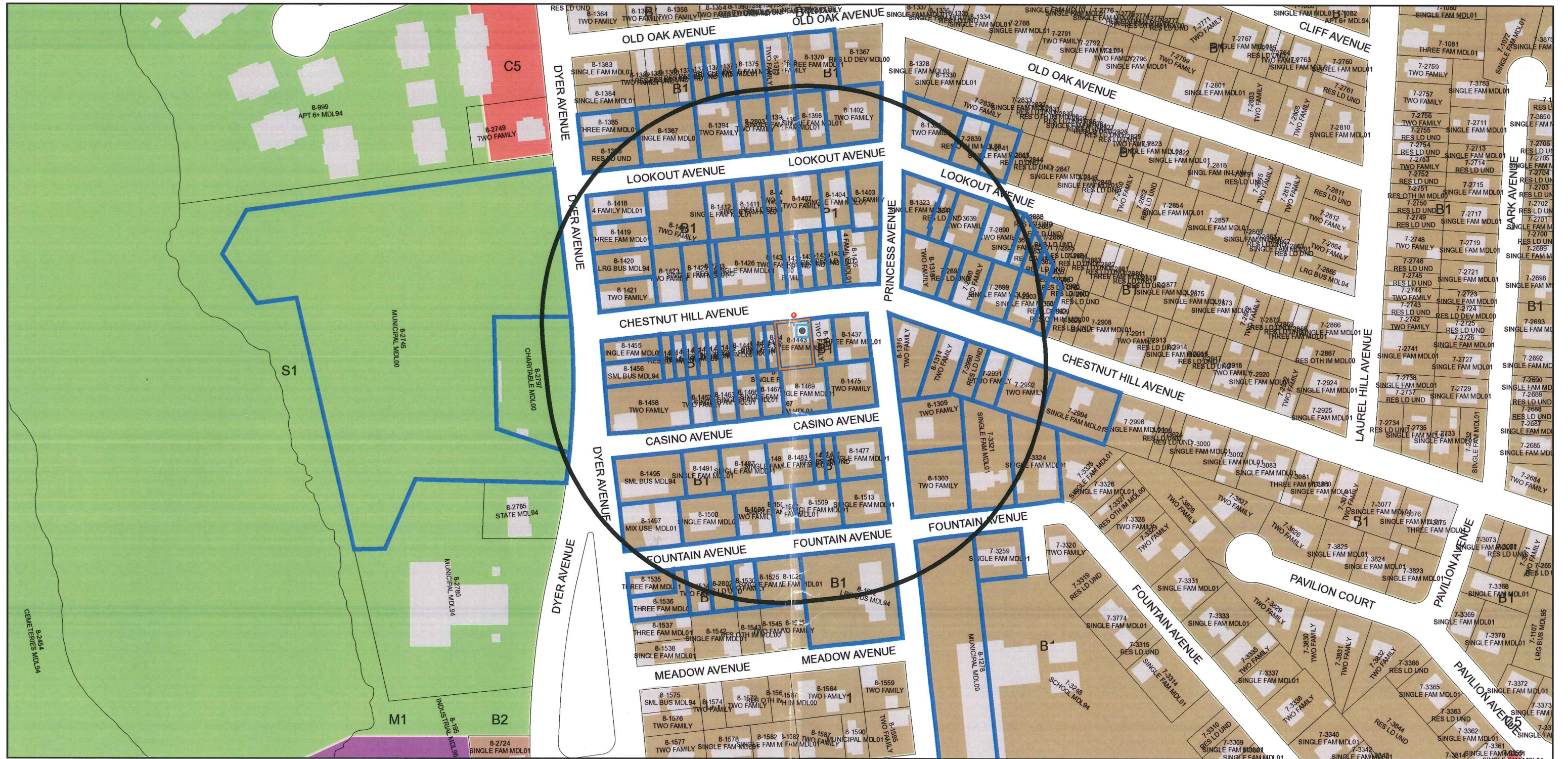
28
27
17
3
10
4

32

FUS
BAS
UBM



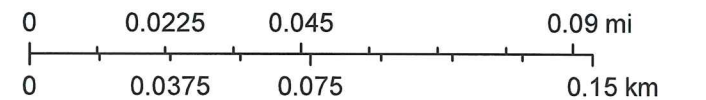
142 Chestnut Hill Ave 400' Radius Plat 8 Lot 1443



4/29/2021, 10:43:15 AM

	Parcel Outlines		Buildings		A20		C1		M2
	Plat Boundaries		Zoning Dimensions		A12		C2		EI
	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		

1:2,000



City of Cranston
City of Providence, Department of Planning and Development

REFERENCES:

- 1.) CRANSTON ASSESSORS PLAT NO. 8/3
- 2.) CRANSTON DEED BOOK / PAGE;
4245/75, 4143/92, 4441/257, 2639/263,
4079/92 & 4441/257
- 3.) "CHESTNUT HILL" PLAT CARD 112

ZONING CLASSIFICATION:

CRANSTON = B-1

FLOOD DATA:

ENTIRE PLAT AREA IS LOCATED IN A ZONE X
AREA WITH MINIMAL CHANCE OF FLOODING ON
FEMA FLOOD PANEL 44007C0312H EFF.10/02/2015

OWNER:

NICHOLAS J. GUADAGNO
c/o 142 CHESTNUT HILL AVENUE
CRANSTON, R.I.
02920

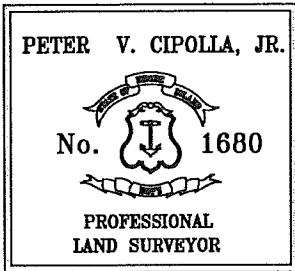
SURVEY CERTIFICATION:

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 NOV. 25, 2015,
AS FOLLOWS:

TYPE OF SURVEY:	MEASUREMENT SPECIFICATION
COMPREHENSIVE BOUNDARY SURVEY	CLASS I
DATA ACCUMULATION – PLANIMETRIC	CLASS II

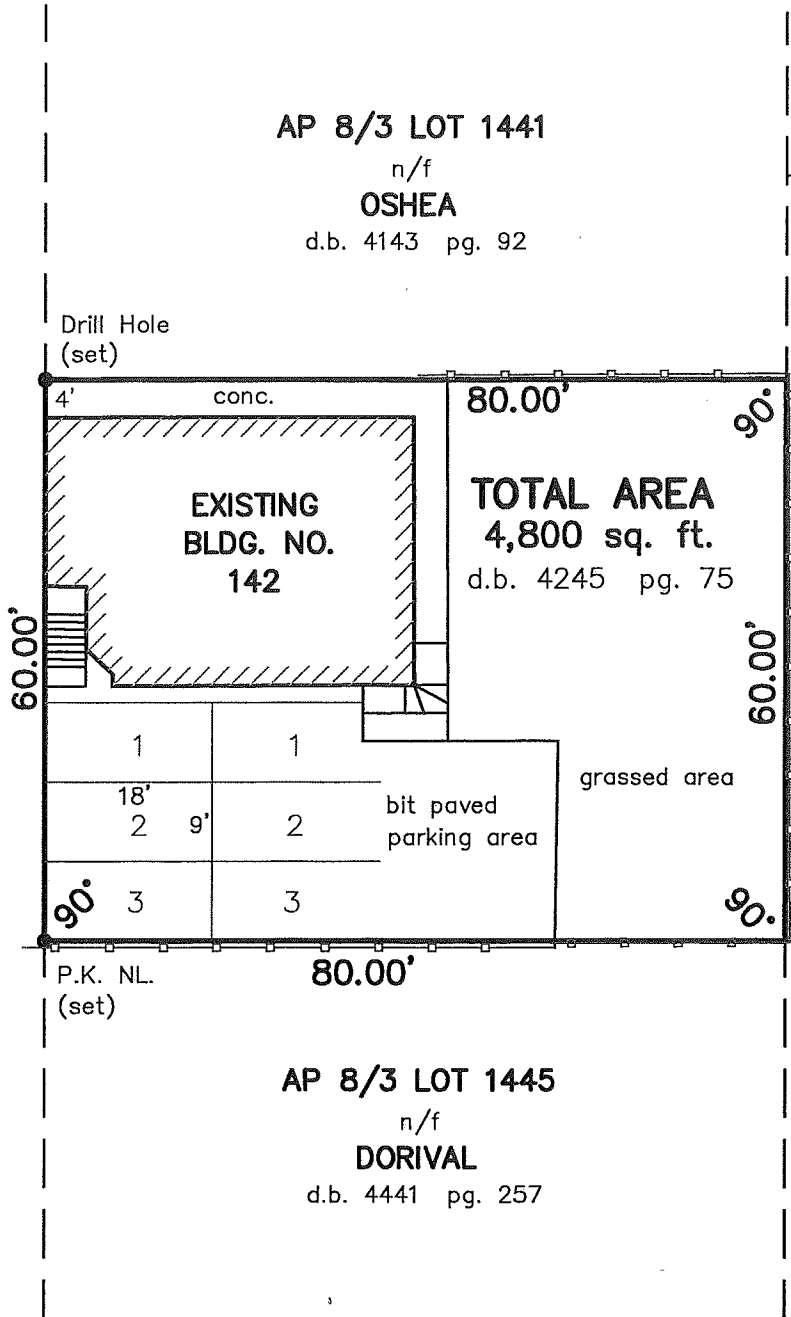
THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION
OF THE PLAN IS AS FOLLOWS:

PERFORM A PROPERTY SURVEY AND PLAN



BY: Peter V. Cipolla, Jr.
PETER V. CIPOLLA, JR. – RIPLS # 1680
COA # LS-A64

CHESTNUT HILL AVENUE
(public 50' wide)



SURVEY PLOT PLAN
AP 8/3 LOT 1443
CRANSTON, R.I.
1" = 20' MARCH 25, 2021
PETER V. CIPOLLA, JR
registered land surveyor
P. O. BOX 8662
CRANSTON, R.I. – 02920