

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: May 11, 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: Michele L. Caprio

ADDRESS: 59 Rector Street, East Greenwich, RI ZIP CODE: 02818

APPLICANT: Michele L. Caprio

ADDRESS: 59 Rector Street, East Greenwich, RI ZIP CODE: 02818

LESSEE:

ADDRESS: ZIP CODE:

1. ADDRESS OF PROPERTY: 68 Gansett Avenue

2. ASSESSOR’S PLAT #: 7/5 BLOCK #: ASSESSOR’S LOT #: 2036 WARD: 3

3. LOT FRONTAGE: 87.36' LOT DEPTH: 87.89' LOT AREA: 5,628 sq ft

4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: B-1 6,000 sq ft 35'
(ZONE) (AREA LIMITATION) (HEIGHT LIMITATION)

5. BUILDING HEIGHT, PRESENT: one story PROPOSED: same

6. LOT COVERAGE, PRESENT: 71% PROPOSED: same

7. HOW LONG HAVE YOU OWNED THE ABOVE PREMISES? 1/6/2017

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

9. GIVE SIZE OF EXISTING BUILDING(S): 74' x 70' (1-shaped)

10. GIVE SIZE OF PROPOSED BUILDING(S): same

11. WHAT IS THE PRESENT USE? commercial

12. WHAT IS THE PROPOSED USE? professional/business office, print and sign shop

13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: none

14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: Applicant has no planned exterior alterations to longstanding commercial building.

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); 17.20.120 (Schedule of Intensity Regulations);

17.64.010 (Off Street Parking); 17.72.010 (Signs); 17.92.010 (Variance) and all

other applicable sections of zoning code.

18. STATE GROUNDS FOR EXCEPTION OR VARIANCE IN THIS CASE: Subject property has served as various multifamily and commercial plumbing business and showroom dating back to 1946.

Property has existed with various commercial uses and now a print and sign shop is

a tenant. Use and dimesnional relief is needed for intended use that has been compatible

with area. Existing structure encroaches on yard setbacks.

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

RESPECTFULLY SUBMITTED,


(OWNER SIGNATURE) Michele L. Caprio

529-6455
(PHONE NUMBER)

(OWNER SIGNATURE)

(PHONE NUMBER)


(APPLICANT SIGNATURE) Michele L. Caprio

529-6455
(PHONE NUMBER)

(LESSEE SIGNATURE)

(PHONE NUMBER)


(ATTORNEY SIGNATURE)

946-3800
(PHONE NUMBER)

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

ATTORNEY ADDRESS: Taft & McSally LLP, 21 Garden City Drive, Cranston, RI 02920

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













MICHELE CAPRIO (“OWNER/APPLICANT”)

68 Gansett Avenue
Cranston, RI 02910
AP No. 7/5 Lot No. 2036

PROJECT NARRATIVE

This project narrative is offered in connection with the application of Michele Caprio for permission to legalize a commercial use in this long-standing commercial property at 68 Gansett Avenue. The building is occupied by a sign/printing business and formerly housed a commercial plumbing business as far back as the 1950’s. In a B-1 zone, the business operations are not a permitted use.

The property is designated as Lot No. 2036 on Assessor’s Plat 7/5 and is dominated by the L-shaped building and garage space. It is at the corner of Berkeley Street across from Tate Field complex next to Bain Middle School. A variance application for both use and dimensional relief is submitted.

Based on the size of the existing building, fourteen (14) off street parking spaces are required. Including the indoor garage spaces, a total of eight (8) spaces are provided. A dimensional variance is required for six (6) parking spaces.

The existing building was constructed in 1958 and a former owner used it for a plumbing and heating business including a display showroom and garage. The existing building is a legal non-conforming structure that does not comply with the area, front, rear and side setbacks requirements.

The following use variance is sought from the Zoning Board of Review

17.20.030 (Schedule of Uses)

A use variance is requested to use property for professional business and office space, and a print and sign shop in the B-1 zone.

17.20.120 (Schedule of intensity regulations) * Existing conditions**

Area requirement ***

Property has 5,628 square feet and in the B-1 zone the minimum lot size is 6,000 square feet.

Front yard setback ***

Building is right at edge of property. Twenty-five (25) front setback is required. The property is less than two feet off front setback and corner.

Side yard setback ***

Existing building is right on northerly property line.

Rear yard setback ***

The existing rear yard setback is .55 feet where normally a twenty (20) foot setback would be required.

17.64.010 (Off Street Parking)

Proposed uses require fourteen (14) parking spaces for the retail and service establishments. As designed, dimensional variance is required for the proposed eight (8) spaces.

17.72.010 (Signs)

Existing sign face on front pole is 4' x 4". A 6'x4" sign is proposed.

17.92.010 Variance for use and dimension

Use variance is sought to continue to operate the professional and business office space with sign and print shop.

Dimensional variances are sought for the needed relief as identified for the pre-existing intensity regulations and for off street parking and signage.

October 8, 1946

The regular meeting of the Zoning Board of Review was held in the City Hall, October 8, 1946 at 7:45 P.M. and called to order by Chairman Strauss, members present were Messers Strauss, Sanders, Westmoreland, Kent and Dimitri, also present were Richard F. Canning.

Application of Phillip T. Brodeur asking permission to alter a two family dwelling into a three family apartment house at 10-12 Sylvan Avenue on Lot #2283-2641 of Assessors Plat 2/6 was granted on motion of Mr. Kent seconded by Mr. Dimitri and so voted. This vote was unanimous. There were no objectors. In this case due to the character of the neighborhood (there being other three families in the immediate vicinity) the Board granted the application.

Application of Waldo E. Tanner asking permission to change a one family dwelling into a two family dwelling at 35 Bartlett Avenue on Lot #1550 of Assessors Plat 2/8 was granted on motion of Mr. Kent seconded by Mr. Westmoreland and so voted. This vote was unanimous. There were no objectors. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Application of Margaret M. Barr, asking permission to alter a one family dwelling into a two family dwelling at 117 Pawtuxet Avenue on Lot #3251 of Assessors Plat 2/4, was granted on motion of Mr. Kent seconded by Mr. Sanders and so voted. This vote was unanimous. There were no objectors. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Application of John A. Owen Jr. asking permission to alter a two family dwelling into a three family apartment house at 19 Fairview Avenue on Lot #3386 of Assessors Plat 2/2 was denied on motion of Mr. Kent seconded by Mr. Sanders and so voted. This vote was unanimous. There were several objectors. In this case the Board due to the fact that there was mostly one family houses in the district and the granting of the application will be detrimental to the neighborhood and injure property values therefore denied the application.

Application of Robert J. Stewart asking permission to alter a two family dwelling into a three family apartment house at 22-24 Grace Street on Lot #173 of Assessors Plat 6/1 was granted on motion of Mr. Sanders seconded by Mr. Westmoreland and so voted. This vote was unanimous. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Application of Romulus Saccoccio (Applicant) Phillip A. Saccoccio (Owner) asking permission to use the building at the rear of 650-652 Park Avenue (290 Doric Avenue) on Lot #247 of Assessors Plat 3/2 for a jewelry shop was granted for two years on motion of Mr. Dimitri seconded by Mr. Sanders and so voted with a proviso that the working hours be from 7:00 A.M. to 6:00 P.M. and no work on Sundays or holidays. The vote was unanimous. There were no objectors. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Application of Ernest W. Taber asking permission to alter a two family dwelling into a three family apartment house at 70-72 Gansett Avenue on Lot #2036-2037 of Assessors Plat 7/5, was granted on motion of Mr. Dimitri seconded by Mr. Westmoreland and so voted. This vote was unanimous. There were no objectors. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Application of Forrest deFratus asking permission to alter a two family dwelling into a three family apartment at 41 Crawford Street on Lot #2174 of Assessors Plat 7/5 was granted on motion of Mr. Sanders seconded by Mr. Dimitri and so voted. This vote was unanimous. There were no objectors. In this case the Board feels that the granting of the application will not be detrimental to the neighborhood.

Records taken by Mrs. Allen
Meeting adjourned at 10:30 P.M.

September 10, 1957

The regular meeting of the Zoning Board of Review was held in the City Hall, Tuesday evening, September 10, 1957, at 7:30 p.m., and called to order by Chairman Vincent Dimitri.

Members present: Messrs. Dimitri, Anderson, Melei, Easterbrook Rankin, and alternate member Edwin G. Avery. Also present was James DiPrete, Assistant City Solicitor.

Application of Donald Collier, 104 Rolfe Street, requesting permission to use the lot at 101-103 Richard Street for employees' parking and for deliveries to the rear of the building on 104 Rolfe Street, was tabled for further study on motion of Mr. Anderson, seconded by Mr. Dimitri. Lots #620 and part of #621 of Assessor's Plat 5/1.

Application of Anthony Emma Heating Company (Applicant), Ernest W. Taber (Owner), 70 Gansett Avenue, requesting permission to alter first floor of apartment house for office and erect addition (approximately 20'x35') to building for Display Room (plumbing and heating supplies), and build a garage (approximately 35'x35') at rear of lot at 68-72 Gansett Avenue on Lots #2037-2036 of Assessor's Plat 7, Section 5, was granted on motion of Mr. Melei, seconded by Mr. Easterbrooks, and so voted unanimously. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Scungie Realty Company, 1196 Cranston Street, requesting permission to use the building at the rear of 644 Dyer Avenue for washing and pressing of shirts, on Lot #1497 of Assessor's Plat 8/3 was granted on motion of Mr. Dimitri, seconded by Mr. Melei, and so voted unanimously. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Jerome A. Geller, 34 Freedom Drive, requesting permission to build a store addition (approximately 50'x100') to the present building at 1312-1330 Oaklawn Avenue, and use the remainder for parking of cars on part of Lot #26 of Assessor's Plat 15. On motion made by Mr. Rankin, seconded by Mr. Melei, the erection of the building addition was approved subject to parking being restricted to the Business area only.

A curbing and shrubs are to be installed between the Business area and the Residential area. The remainder to be seeded and maintained.

After viewing the premises and the neighborhood, considering the zoning regulations now governing the premises and the properties in the vicinity, and considering all of the evidence and testimony submitted at the hearing, the Board finds that the granting of said application, subject to said restrictions, will substantially serve the public convenience and welfare and will not substantially or permanently injure the appropriate use of neighboring property.

This decision was filed in the office of the Zoning Board of Review on September 18, 1957, at 10 a.m.

Application of Alrose Chemical Company, Mill Street, requesting permission to use the premises at Astle Street and Sunset Terrace for parking purposes on Lots #105-108-109 of Assessor's Plat 4, Section 5, was granted with the following restrictions, on motion made by Mr. Anderson, seconded by Mr. Rankin:

Entrance and exit to be only from Mill Street.

A continuous wire fence and shrubs to be installed and maintained along Astle Street, Sunset Terrace, and Lyndon Road.

The entire property to be hard-topped.

After viewing the premises and the neighborhood, considering the zoning regulations now governing the premises and the properties in the vicinity, and considering all of the evidence and testimony submitted at the hearing, the Board finds that the granting of said application, subject to said restrictions, will substantially serve the public convenience and welfare and will not substantially or permanently injure the appropriate use of the neighboring property.

This decision was filed in the office of the Zoning Board

February 10, 1959

The regular meeting of the Zoning Board of Review was held in the City Hall, Tuesday evening, February 10, 1959, at 7:30 P.M., and called to order by Chairman Vincent Dimitri.

Members present: Messrs. Dimitri, Rankin, Melei, Anderson and Avery. Also present was Frank W. Golemba, City Solicitor, and James DiPrete, Jr., Assistant City Solicitor.

Absent: Cyril B. Joyner.

Application of E. Louise Lamont (Owner), 93 Wentworth Avenue, requesting permission to alter the dwelling at 95-97 Wentworth Avenue from 3 apartments to 6 apartments on Lot #3902 of Assessor's Plat 2/4, was granted on motion of Mr. Avery, seconded by Mr. Anderson, and so voted unanimously. There were no objectors. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Alfred L. Rothfuss (Owner), 20 Pratt Circle, Warwick, Rhode Island, requesting permission to use the basement for an apartment (making 3 apartments) at 147-149 Wheeler Avenue, Cranston, on Lot #1871 of Assessor's Plat 2/5, was denied on motion of Mr. Avery, seconded by Mr. Melei, and so voted unanimously.

Application of Anthony Emma (Owner), 66 Gansett Avenue, requesting permission to add a garage to the present plumbing office, display room and garage at 68-72 Gansett Avenue on Lots #2037-2036 of Assessor's Plat 7/5 was granted on motion of Mr. Melei, seconded by Mr. Rankin, and so voted unanimously. There were no objectors. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Paloon Najarian Estate (Owner), 1082 Park Avenue, Suzanne Najarian (Applicant), 1078 Park Avenue, requesting permission to operate a Jewelry Job Shop at 1082 Park Avenue on Lot #16 of Assessor's Plat 9/5 was granted for 2 years on motion of Mr. Melei, seconded by Mr. Avery, and so voted unanimously. There were no objectors. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Leonardo Corso (Owner), 294 Webster Avenue, Carmella Santopietro (Applicant), 41 Magdalene Street, Providence, Rhode Island, requesting permission to renew the permit to do jewelry work at 296 Webster Avenue on Lot #352 of Assessor's Plat 7/2 was granted for 5 years on motion of Mr. Melei, seconded by Mr. Anderson, and so voted unanimously. There were no objectors. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Application of Maria C. Notarianni (Owner), 1431 Park Avenue, Salvatore Notarianni (Applicant), 1431 Park Avenue, requesting permission to do jewelry assembly work in the garage at the above address on Lot #944 of Assessor's Plat 11/2 was granted for 2 years on motion of Mr. Dimitri, seconded by Mr. Rankin, and so voted unanimously. There were no objectors. In this case the Board feels that granting a permit will not prove detrimental to the neighborhood.

Stenographic records were taken by Mr. Vincent Murray

Records of previous meeting were read and approved.

A letter from the City Plan Commission, dated February 10, 1959, was read and ordered placed on file.

Meeting adjourned at 10:00 P.M.

Respectfully submitted,

Henry DiPrete

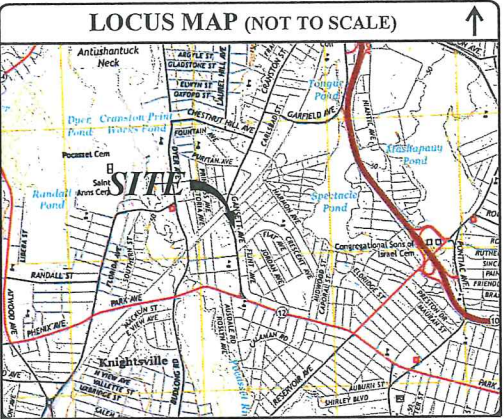
Henry DiPrete
Secretary

ZONING BOARD OF REVIEW SUBMISSION

68-70 GANSETT AVENUE
CRANSTON, RHODE ISLAND
A.P. 7-5, LOT 2036

ZONING DISTRICT: RESIDENTIAL B-1

| OWNER / APPLICANT | ENGINEER | SURVEYOR |
|--|--|---|
| MICHELE L. CAPRIO 7 DEER RUN ROAD HOPE, RI 02831 (401) 529-6455 phone | JOE CASALI ENGINEERING, INC. 300 POST ROAD WARWICK, RI 02888 (401) 944-1300 phone (401) 944-1313 fax | OCEAN STATE PLANNERS, INC. 1255 OAKLAWN AVENUE CRANSTON, RI 02920 (401) 483-9886 phone |



GENERAL NOTES:

- EXISTING CONDITIONS ARE BASED ON A CLASS I AND CLASS III SURVEY PERFORMED OCEAN STATE PLANNERS, INC., 1255 OAKLAWN AVENUE, CRANSTON, RHODE ISLAND IN MAY 2021.
- THE ENTIRE AREA OF PROPOSED SITE IMPROVEMENTS LIE WITHIN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON THE FEMA MAP FOR CITY OF CRANSTON, RHODE ISLAND, MAP NUMBER 44007C0312H, EFFECTIVE DATE OCTOBER 2, 2015.
- EXISTING SOILS ON THE SITE HAVE BEEN CLASSIFIED AS MERRIMAC-URBAN LAND COMPLEX, 0 TO 8 PERCENT SLOPES (MU).
- THE LOCATION AND DEPTH OF EXISTING UTILITIES ARE APPROXIMATE AND HAVE BEEN PLOTTED FROM THE LATEST AVAILABLE INFORMATION. THE UTILITY LOCATIONS ARE APPROXIMATE AND MAY NOT BE ALL INCLUSIVE. THE CONTRACTOR SHALL CHECK AND VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES, BOTH OVERHEAD AND UNDERGROUND, AND "DIG-SAFE" MUST BE NOTIFIED PRIOR TO COMMENCING ANY CONSTRUCTION OPERATIONS.
- TELEPHONE, ELECTRIC, SEWER, GAS, AND WATER SERVICES ARE ALL AVAILABLE NEAR THE SUBJECT PARCEL.

| ZONING CRITERIA | REQUIRED | EXISTING |
|------------------------------|------------|------------|
| ZONING DISTRICT | B-1 | B-1 |
| MINIMUM LOT AREA | 6,000 S.F. | 5,628 S.F. |
| MINIMUM LOT WIDTH & FRONTAGE | 60 FT | 87.35 FT |
| MINIMUM FRONT YARD | 25 FT | 1.61 FT |
| MINIMUM REAR YARD | 20 FT | 0.55 FT |
| MINIMUM SIDE YARD | 8 FT | N/A |
| MAXIMUM LOT COVERAGE (%) | 35% | 71.4% |
| MAXIMUM BUILDING HEIGHT | 35 FT | <35 FT |

NOTE:
1. EXISTING, NON-CONFORMING CONDITION.

RELIEF REQUESTED

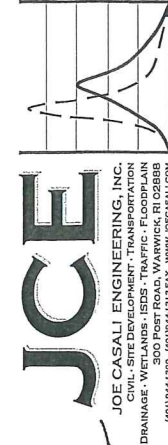
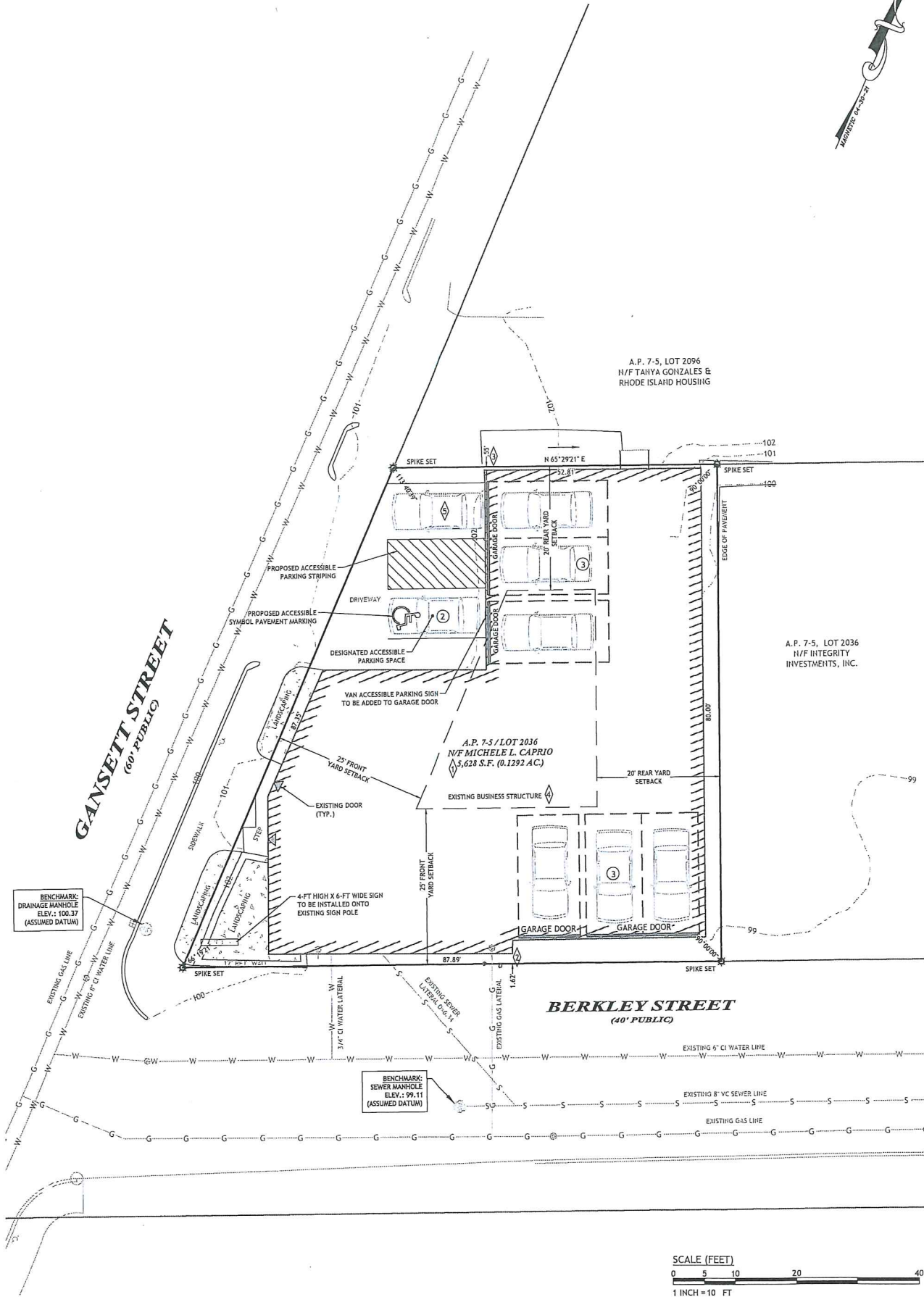
- PER SECTION 17.20.120 - SCHEDULE OF INTENSITY REGULATIONS;
B-1 DISTRICT; MINIMUM LOT AREA
REQUIRED: 6,000 SF EXISTING: 5,628 SF RELIEF REQUESTED: 372 SF*
*EXISTING, NON-CONFORMING CONDITION
- PER SECTION 17.20.120 - SCHEDULE OF INTENSITY REGULATIONS;
B-1 DISTRICT; MINIMUM FRONT YARD SETBACK
REQUIRED: 25 FT. EXISTING: 1.61 FT. RELIEF REQUESTED: 23.39 FT.*
*EXISTING, NON-CONFORMING CONDITION
- PER SECTION 17.20.120 - SCHEDULE OF INTENSITY REGULATIONS;
B-1 DISTRICT; MINIMUM REAR YARD SETBACK
REQUIRED: 20 FT. EXISTING: 0.55 FT. RELIEF REQUESTED: 19.45 FT.*
*EXISTING, NON-CONFORMING CONDITION
- PER SECTION 17.20.120 - SCHEDULE OF INTENSITY REGULATIONS;
B-1 DISTRICT; MAXIMUM LOT COVERAGE
MAXIMUM: 35% EXISTING: 71.4% RELIEF REQUESTED: 39.4%
*EXISTING, NON-CONFORMING CONDITION
- PER SECTION 17.64 - OFF-STREET PARKING; I. OFF-STREET PARKING SPACE REQUIREMENTS
(SEE PARKING CALCULATION BELOW)
REQUIRED: 14 SPACES EXISTING: 9 SPACES RELIEF REQUESTED: 5 SPACES

OFF-STREET PARKING SPACE REQUIREMENTS:
PER SECTION 17.64.010 - OFF-STREET PARKING:

RETAIL BUSINESS AND SERVICE ESTABLISHMENTS:
ONE (1) SPACE FOR EACH THREE HUNDRED (300)
SQUARE FEET OF GROSS FLOOR AREA

GROSS FLOOR AREA: 4,018 SF
4,018 SF/300 SF = (13.3) 14 SPACES REQUIRED

REQUIRED: 14 SPACES (1 ADA)
EXISTING: 9 SPACES (6 GARAGE SPACES)(0 ADA)
PROPOSED: 8 SPACES (6 GARAGE SPACES)(1 ADA)
RELIEF REQUESTED: 6 SPACES
(STREET PARKING AVAILABLE)



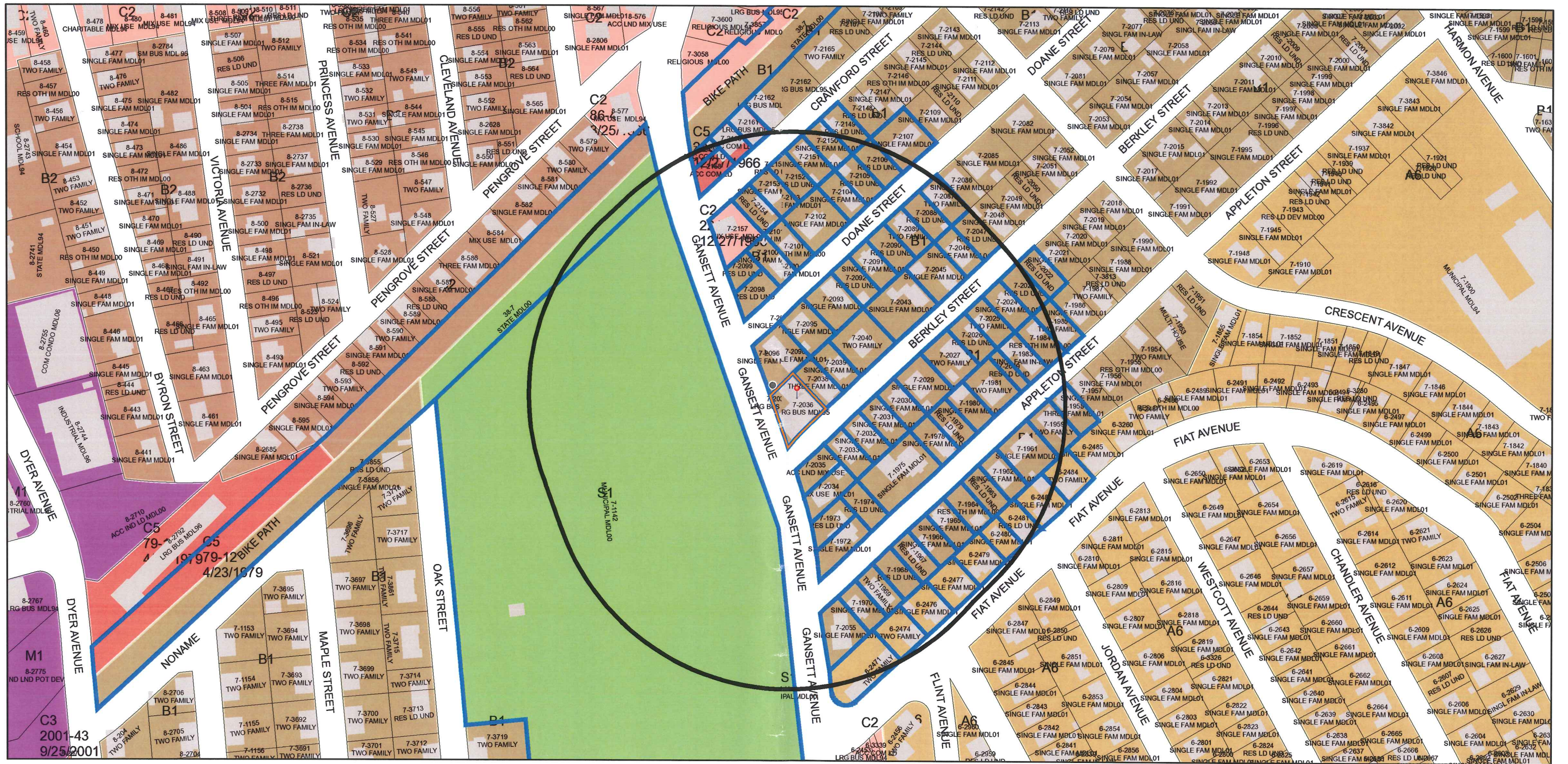
68-70 GANSETT AVENUE
CRANSTON, RHODE ISLAND
A.P. 7-5, LOT 2036

| REVISIONS: | NO. | DATE | DESCRIPTION |
|-----------------------------------|-----------|------|-------------|
| DESIGNED BY: | WMLJR | | |
| DRAWN BY: | SEP | | |
| CHECKED BY: | JAC | | |
| DATE: | JUNE 2021 | | |
| PROJECT NO: | 21-26 | | |
| PRELIMINARY, NOT FOR CONSTRUCTION | | | |

ZONING
SITE PLAN













SHEET
1 OF 1

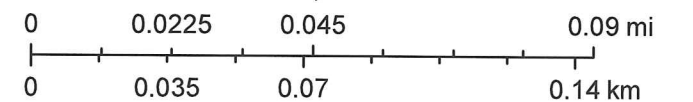
68 Gansett Ave 400' Radius Plat 7 Lot 2036



5/10/2021, 12:04:20 PM

1:1,933

| | | | | | | | | | |
|---|-------------------|---|---------------------------|---|-----|---|----|---|-------|
|  | 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 | | |



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