

**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**  
1090 CRANSTON STREET  
CRANSTON, RI 02920

DATE: September 2, 2021

**MEMBERS:**

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: Williams I. Penafiel and Lesbia Santos  
ADDRESS: 127 Hamilton Street, Apt. 2, Providence, RI ZIP CODE: 02907  
APPLICANT: Williams I. Penafiel and Lesbia Santos  
ADDRESS: 127 Hamilton Street, Apt. 2, Providence, RI ZIP CODE: 02907  
LESSEE: \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
1. ADDRESS OF PROPERTY: 234 Garden Street, Cranston, RI ZIP CODE: 02910  
2. Assessor's PLAT 5/1 LOT #: 345 WARD \_\_\_\_\_  
3. LOT FRONTAGE: 50 FEET LOT DEPTH: 100 FEET LOT AREA: 5,000 SQUARE FEET  
4. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED: B-1 one-family/6,000 sq. ft.;  
(ZONE) two-family/8,000 sq. ft.  
(AREA LIMITATION) 35 FEET  
(HEIGHT LIMITATION)  
5. BUILDING HEIGHT, PRESENT: within height limitation PROPOSED: same  
6. LOT COVERAGE, PRESENT: 18.16% PROPOSED LOT: same  
7. HOW LONG HAVE YOU OWNED ABOVE PREMISES? 1 year  
8. ARE THERE ANY BUILDINGS ON THE PREMISES AT PRESENT? yes  
9. GIVE SIZE OF EXISTING BUILDING(S): 3,048 square feet  
10. GIVE SIZE OF PROPOSED BUILDING(S) same  
11. WHAT IS THE PRESENT USE? 2-family dwelling  
12. WHAT IS THE PROPOSED USE? 3-family dwelling  
13. NUMBER OF FAMILIES FOR WHICH BUILDING IS TO BE ARRANGED: 3  
14. DESCRIBE IN DETAIL THE EXTENT OF PROPOSED ALTERATIONS: NONE  
15. HAVE YOU SUBMITTED PLANS TO THE BUILDING INSPECTOR? No

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 VARIATION IS MADE: Section 17.92.010 Variances; 17.20.030 - Schedule of Uses; Section 17.20.090 – Specific Requirements; Section 17.20.120 - Schedule of Intensity Regulations; Minimum lot area; all other applicable Sections of the Cranston Zoning Ordinance.

18. STATE GROUNDS FOR EXCEPTION OR VARIATION IN THIS CASE: The granting of this application will cause no injury to the public health, public safety or welfare. It will not alter the essential character of the neighborhood nor substantially injure the appropriate use of neighboring properties. Application seeks a use variance to legalize an existing third unit that existed at the time of the purchase of the property in 2020. A proposed use is compatible with the area and adequate parking can be provided.

SIGNATURE OF OWNER, APPLICANT, LESSEE AND ATTORNEY (IF APPLICABLE) IS REQUIRED AND MUST BE LEGIBLE.

RESPECTFULLY SUBMITTED,

Owner: Williams I. Penafiel

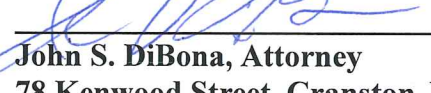
By:  \_\_\_\_\_ (401) 261-3175  
(PHONE NUMBER)

Owner: Lesbia Santos

By:  \_\_\_\_\_ (401) 261-3175  
(PHONE NUMBER)

Applicant:

By: \_\_\_\_\_  
(PHONE NUMBER)

  
John S. DiBona, Attorney  
78 Kenwood Street, Cranston, RI 02907

\_\_\_\_\_  
401-943-6655  
(PHONE NUMBER)

PRE-ZONING APPLICATION MEETING :

  
(Planning Dept. Signature)

9-14-21  
(Date)

**DENIED**

CITY OF CRANSTON  
ZONING CERTIFICATE

PLEASE FAX  
WHEN COMPLETE

TO BE FILLED IN BY APPLICANT

PROPERTY ADDRESS: 234 GARDEN STREET  
PROPERTY OWNER: WILSHIRE CREDIT CORPORATION  
PLAT # 5-1 LOT # 345 DATE: 8/14/08  
REQUESTED BY: ZILMUND STEVENS PHONE # 826-4810  
MAILING ADDRESS: 390 NEWPORT AVENUE FAX # 826-9743  
PAWUCKET RI 02861 CELL # 323-3045  
PREVIOUS / EXISTING USE: RESIDENTIAL 3 FAMILY  
IS THIS BUILDING / TENANT SPACE CURRENTLY VACANT? YES HOW LONG? 3 MONTHS  
PROPOSED TYPE OF USE: SAME

I hereby certify that under penalty of perjury, the information and statements given on this application are true and correct to the best of my knowledge. I understand that if the information on this application is not correct or complete, the result may be the invalidation or revocation of this zoning certificate. Furthermore, the undersigned attests that no easement, covenant or Deed restriction exists which may be in violation of this certificate.

X [Signature]  
(Signature of Owner and / or Applicant)

The fee for each zoning certificate is \$30. Payable by check or money order only to the "City of Cranston". (Code sec. 5-2, 118.2)  
A minimum of five (5) business days is required for us to process this zoning certificate.

TO BE FILLED IN BY THE BUILDING / ZONING OFFICIAL

ZONE: B-1 LOT AREA: 5000 LOT FRONTAGE: \_\_\_\_\_ FLOOD PLAIN: \_\_\_\_\_  
LAST LEGAL RECORD OF USE: SINGLE & TWO FAMILY DWELLINGS

THE PROPOSED USE IS:  DENIED \_\_\_\_\_ APPROVED \_\_\_\_\_ APPROVED BY VARIANCE

APPROVED: SUBJECT TO OBTAINING A CERTIFICATE OF OCCUPANCY OR USE

THE EXISTING PROPERTY IS A LEGAL NON-CONFORMING TWO FAMILY DWELLING. USE AS A THREE FAMILY DWELLING REQUIRES ZONING BOARD OF REVIEW APPROVAL.

THIS CERTIFICATE DOES NOT SIGNIFY BUILDING CODE REVIEW OR APPROVAL AND IS NOT AN AUTHORIZATION TO UNDERTAKE ANY WORK WITHOUT THE ISSUANCE OF THE PROPER PERMITS FROM THE APPLICABLE AUTHORITIES.

**You must obtain a Certificate of Occupancy or Use!**

Occupancy or use prior to obtaining a Certificate of Occupancy or Use is illegal and subject to monetary penalties and imprisonment as per the City of Cranston Zoning Code and the Rhode Island State Building Code.

DATE: \_\_\_\_\_ ZONING OFFICIAL: [Signature]

CHECK # CASH REC'D BY: [Signature] DATE PAID: 8-14-08 TOTAL FEE PAID: 30.00 CASH

**REFERENCES:**

CITY OF CRANSTON, CLERK'S OFFICE  
 PLAT CARD 43 ENTITLED  
 "THOMAS GRACE PLAT"  
 DEED BOOK 6049, PAGE 146

**ZONING NOTES:**

ALL LOTS SHOWN ARE ZONED B-1  
 B-1 ZONING REQUIREMENTS:

AREA	1 FAMILY 6,000 S.F. MIN.	2 FAMILY 8,000 S.F. MIN.
FRONTAGE	60' MIN.	80' MIN.
FRONT SETBACK	25' MIN.	25' MIN.
REAR SETBACK	20' MIN.	20' MIN.
SIDE SETBACK	8' MIN.	8' MIN.
BLDG. HEIGHT	35' MAX.	35' MAX.
LOT COVERAGE	30% MAX.	35% MAX.

**FEMA INFO:**

ALL LOTS ARE LOCATED WITHIN A DESIGNATION  
 "X" (AREAS OF MINIMAL FLOODING) ZONE  
 PER F.I.R.M. 44007C0318H, 10/02/2015.

**GRAPHIC SCALE**



( IN FEET )  
 1 inch = 20 ft.

**CERTIFICATION:**

This Survey has been conducted and the Plan prepared pursuant to Section 9 of the Rules and Regulations adopted by the Rhode Island Board of Registration for Professional Land Surveyors.

LIMITED CONTENT BOUNDARY SURVEY & SITE FEATURES -- CLASS I

The Purpose and the Conduct of the Survey and for the Preparation of the Plan is as Follows:  
 To Demonstrate the Location and Dimensions of Existing Site Features, Existing Dwelling and Perimeter Property Lines at 234 Garden St., City of Cranston, A. P. 5/1, Lot 345.

By: Walter P. Skorupski 8/31/2021  
 Walter P. Skorupski  
 Registered Professional Land Surveyor  
 LS A378-COA



A.P. 5/1, Lot 343  
 N/F Lois A. & John Frizado  
 Deed Bk. 3924, Pg. 341

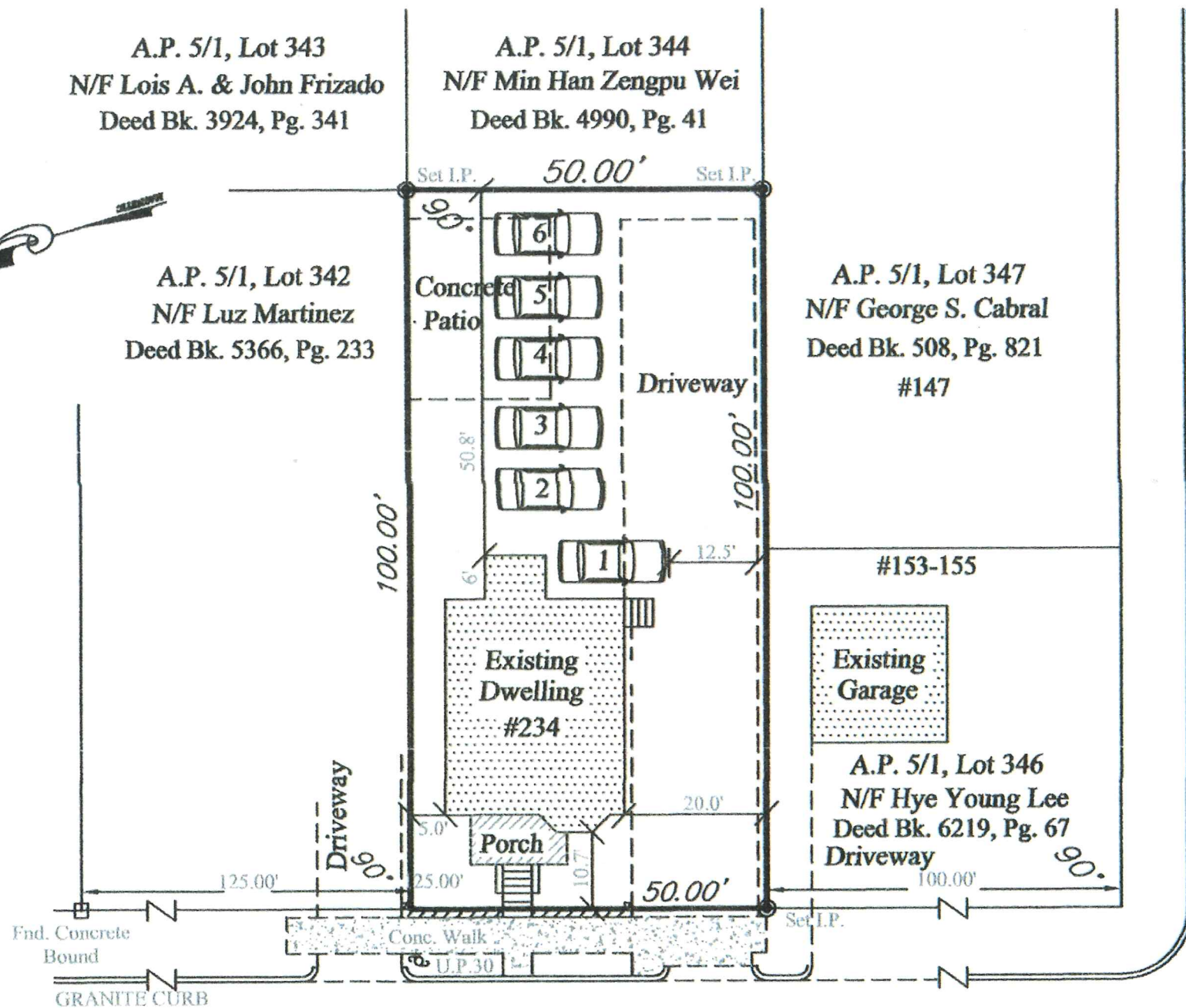
A.P. 5/1, Lot 344  
 N/F Min Han Zengpu Wei  
 Deed Bk. 4990, Pg. 41

A.P. 5/1, Lot 342  
 N/F Luz Martinez  
 Deed Bk. 5366, Pg. 233

A.P. 5/1, Lot 347  
 N/F George S. Cabral  
 Deed Bk. 508, Pg. 821  
 #147

#153-155

A.P. 5/1, Lot 346  
 N/F Hye Young Lee  
 Deed Bk. 6219, Pg. 67  
 Driveway

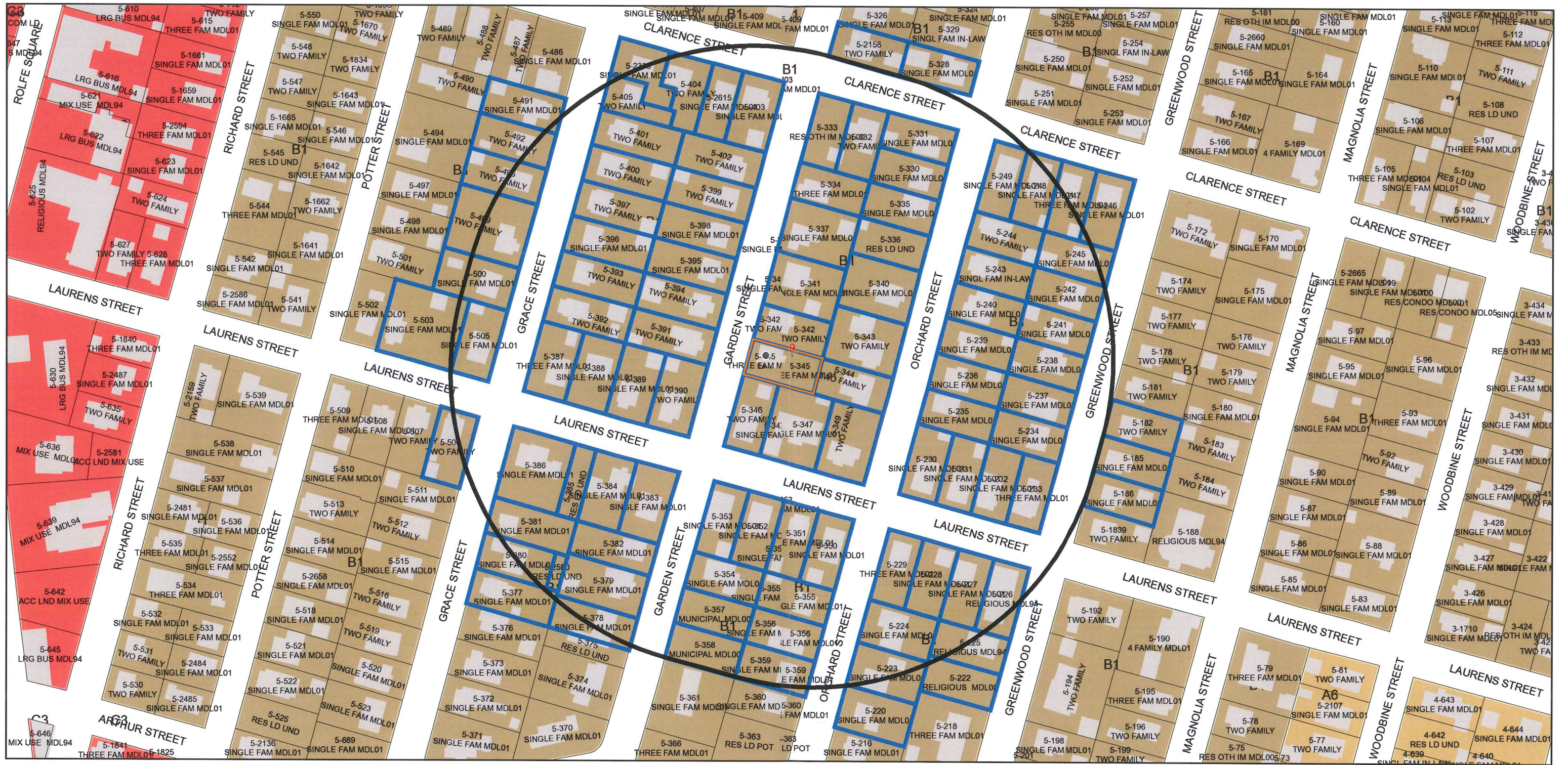


LAURENS ST.

GARDEN ST.

Survey For: Williams I. Penafiel & Lesbia Santos 234 Garden Street Cranston, R.I.02910 August, 2021	<b>SURVEY &amp; EXISTING SITE PLAN</b> CITY OF CRANSTON 234 GARDEN STREET ASSESSOR'S PLAT 5/1 LOT 345
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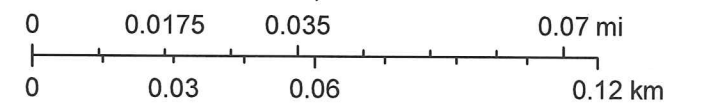
# 234 Garden St 400' Radius Plat 5 Lot 345



9/3/2021, 2:40:42 PM

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

1:1,592



City of Cranston