

EVERETT O'DONNELL
VICE-CHAIRMAN



FRANK J. PICOZZI
MAYOR

CITY OF WARWICK
ZONING BOARD OF REVIEW
WARWICK, RHODE ISLAND 02886
(401) 921-9534

RECEIVED
FEB 28 2024
WARWICK
ZONING BOARD OF REVIEW

PETITION NO. 10968

City of Warwick
ZONING BOARD OF REVIEW

Application for Special Use Permit, Variance, or Appeal

Date February 28 2024

The undersigned hereby applies to the Warwick Zoning Board of Review for the following:

SPECIAL USE PERMIT DIMENSIONAL VARIANCE
 USE VARIANCE APPEAL
 AMENDMENT TO A PREVIOUSLY GRANTED RESOLUTION

Applicant: Parviz Abgarmi Address: 136 Pierre Ave, Warwick, RI
Owner: Rosemere Realty, Inc. Address: 1995 Post Road, Warwick, RI
Lessee: _____ Address: _____

1. Ownership Tenure

DATE OF PURCHASE of the above stated property by the CURRENT OWNER:

over 40 years ago

Will ownership of said property be transferred by the CURRENT OWNER TO THE APPLICANT for developmental purposes? yes

2. Street Address of Premises 1995 Post Road

3. Assessor's Plat & Lot 323 426
Plat No. Lot No.

4. Dimensions of lot _____
Frontage Depth 75 feet Area 8,757 sqft
Square Feet

5. Zoning District in which premises is located IM

6. DEVELOPMENTAL STATUS AND PROPOSAL

Are there any buildings on the premises at present? Yes

If YES, how many buildings? 1

Identify the size, height and use of each building:

(1) 795 sq ft

(2) _____

(3) _____

**Note: Use additional sheet (s) of paper, if necessary.

7. Present use of premises: Vacant

Proposed use of premises: Pizza Restaurant takeout & Delivery minimal seating

8. Total number of RESIDENTIAL UNITS 0

Total number of COMMERCIAL UNITS 1

9. Have plans for the proposed construction activities/change of use for any existing and proposed building (s) been submitted to the Warwick Building Official?

Yes ()

No ()

Does not apply ()

If yes, has a building permit been refused? Yes () No ()

10. Type of Sewer System - Public Private _____

Septic _____ Cesspool _____ Sewers _____

11. Is the subject property located in a flood zone? No

If so, what flood zone? _____

12. Is the subject property located in a Historic District? No

If so, have you received approval from the Historic District Commission? _____

13. Does your application required Planning Board approval? No

If so, have you applied and received approval from the Planning Board _____

14. SPECIAL USE PERMIT

A. State existing use of premises _____

B. Proposed use of the property in detail _____

C. LIST precise ARTICLE (S) and SECTION (S) of the ZONING ORDINANCE which authorize consideration of the SPECIAL USE PERMIT described in above.

D. Describe how the granting of the SPECIAL USE PERMIT will meet the requirements of the Zoning Ordinance per Section 906.3 (C)

15. VARIANCES – (USE OR DIMENSIONAL)

A. State existing use of premises Vacant Commercial Building

B. Proposed use of the property in detail Pizza Restaurant with Delivery and takeout and Minimal seating.

C. List precise ARTICLE (S) and SECTION (S) of the ZONING ORDINANCE which authorize consideration of the VARIANCE described in above.

§ 904 & § 906.1 Allows an applicant to seek relief from the literal requirements
§ 505.1 & § 505.6 - Relief from Landscaping Requirements
§ 707.7 - Parking - 16 spaces required and 12 are proposed.

D. Identify grounds for the proposed VARIANCE. As required in Section 906.3 (A) and 906.3 (B) of the Zoning Ordinance.

See Attached

16. APPEALS

A. Appeal of the Building Official (Attach a copy of any denial, notification, violation or correspondence relating to appeal).

1. Date of denial/issuance of permit or date of alleged error in enforcement of Ordinance. _____, 20_____

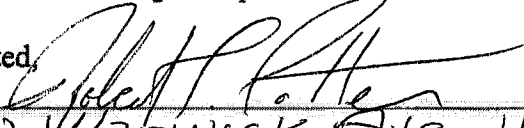
2. Basis of Appeal (Cite applicable provisions of the Ordinance).

B. Appeal to the Warwick Zoning Board of Appeals from an action of the Warwick Planning Board. (Note: Attach all copies of correspondence, plans and the written decision pertaining to the appeal, including any transcript, audiotapes, constituting the record upon which the action appealed was taken, per Section 906.4 (A) of the Ordinance.

Basis for Appeal (Cite applicable Ordinance provisions)

I/We the UNDERSIGNED, swear that all information provided in this APPLICATION is to the best of MY/OUR knowledge complete and correct in every detail.

Respectfully submitted,
(Owner Signature)


(Address) 1850 Warwick Ave, Warwick RI
(Phone) 401-378-3332 EMAIL: _____

Respectfully submitted,
(Applicant Signature)

(Address) _____
(Phone) _____ EMAIL _____

Attorney:

Name: Joseph Brennan Esq.
Address: 51 Jefferson Boulevard Suite 15-F Warwick, RI 02888
Phone: 401-827-0100 EMAIL: jbrennan810@gmail.com

*PLEASE BE ADVISED THAT THE STREET NUMBER MUST APPEAR ON ANY EXISTING STRUCTURE

amy.e.cota@warwickri.com

THIS APPLICATION MUST BE REVIEWED FOR COMPLETENESS BY THE BUILDING OFFICIAL PRIOR TO BEING SUBMITTED TO THE ZONING BOARD. PLEASE BE SURE TO REVIEW REQUIREMENTS CAREFULLY.

*PLEASE NOTE A CLASS I SURVEY IS REQUIRED

B. Appeal to the Warwick Zoning Board of Appeals from an action of the Warwick Planning Board. (Note: Attach all copies of correspondence, plans and the written decision pertaining to the appeal, including any transcript, audiotapes, constituting the record upon which the action appealed was taken, per Section 906.4 (A) of the Ordinance.

Basis for Appeal (Cite applicable Ordinance provisions)

I/We the UNDERSIGNED, swear that all information provided in this APPLICATION is to the best of MY/OUR knowledge complete and correct in every detail.

Respectfully submitted,
(Owner Signature)

(Address) _____
(Phone) _____ EMAIL: _____

Respectfully submitted,

(Applicant Signature) Parviz T. ABGARMI J.E.T
(Address) 136 Pierce Ave, Warwick RI
(Phone) 401-489-3261 EMAIL f.pakdelast@gmail.com

Attorney:

Name: Joseph Brennan, Esq.
Address: 51 Jefferson Boulevard, Suite 15-E, Warwick, RI 02888
Phone: 401-827-0100 EMAIL jbrennan810@gmail.com

*PLEASE BE ADVISED THAT THE STREET NUMBER MUST APPEAR ON ANY EXISTING STRUCTURE

amy.e.cota@warwickri.com

THIS APPLICATION MUST BE REVIEWED FOR COMPLETENESS BY THE BUILDING OFFICIAL PRIOR TO BEING SUBMITTED TO THE ZONING BOARD. PLEASE BE SURE TO REVIEW REQUIREMENTS CAREFULLY.

***PLEASE NOTE A CLASS I SURVEY IS REQUIRED**

**Zoning Application for
1995 Post Road, Warwick, Rhode Island ZONED IM**

Number 15 Variances:

C. List precise Article(s) and Section(s) of the Zoning Ordinance which authorize consideration of the Variance described in above.

Section 906.1 allows the applicant to apply for a variance to seek relief from the literal requirements of the zoning ordinance.

D. Grounds for proposed variances.

Section 906.3 (A): In granting a variance, the board shall require evidence to the satisfaction of the following standards be entered into the records of the proceedings:

(1) That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not the general characteristics of the surrounding area, and is not due to the physical or economic disability of the applicant (for handicapped access See Section 304.10);

The hardship is to the unique characteristics of the land or structure and not the general characteristics of the surrounding area.

(2) That said hardship is not the result of any prior action of the applicant;

The hardship is not the result of any prior action by the applicant.

(3) That the granting of the requested variance will not alter the general characteristics of the surrounding area or impair the intent or purpose of this zoning ordinance or the comprehensive plan of the City;

This will not alter the general characteristics of the surrounding area or impair the intent or purpose of the zoning ordinance or the Comprehensive Plan of the City.

Section 906.3 (B):

(2) In granting a dimensional variance, that the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted.

The hardship would amount to more than a mere inconvenience and the requested relief is very minimal with Parking and Landscaping. As you can see from the plans the Applicant will be making substantial improvements to the site and the existing traffic pattern.