

Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit a variance 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.

Location of premises

Street & No: 267 Spring Street ,Newport, R.I.

Tax Assessor's Plat 27 Lot 138

Petitioner Information

Applicant Peter Andre Arguimbau Address 267 Spring Street Newport, R.I. 02840

Owner Peter Andre Arguimbau Address 267 Spring Street Newport, R.I. 02840

Lessee N/A Address _____

Property Characteristics

Dimensions of lot-frontage 26.5 FT. depth 71.3 FT. area 21,780 sq. ft.

Zoning District in which premises is located R3

How long have you owned above premises? 4 years and 20 days

Are there buildings on the premises at present? Yes

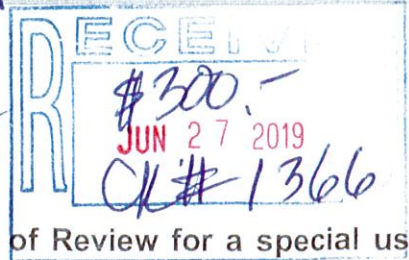
Total square footage of the footprint of existing buildings 4078

Total square footage of the footprint of proposed buildings 4078

Present use of premises
Mixed Use.

All of the following information and questions must be filled in and answered completely.

ZBR AUG 2
[Signature]



Proposed use of premises

We would like to change the Residential portion of 267 Spring Street on the 2nd and 3rd floor to be designated as a guest house from a current designation of R3. The use of the premises would be used as a short term rental.

Give extent of proposed alterations_____

There will be no alterations to the physical structure of the house. We are asking for a change of designations from residential R3 to a Guest House .

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	21,780	21,780	21,780
Lot Coverage	.13500	.13500	.13500
Dwelling Units	2	2	2
Parking (# of spaces)	2	2	2
Front Setback	0	0	0
Side Setbacks	Left side 18.8 and 17.2 Right side 36 and 15.8	Left side 18.8 and 17.2 Right side 36 and 15.8	Left side 18.8 and 17.2 Right side 36 and 15.8
Rear Setback	17.5 Ft.	17.5 Ft.	17.5 Ft.
Height	27 Ft.	27 Ft.	27 Ft.

What provisions of the Comprehensive Land Use Plan are the applicable to this project?

We would like to change the residential R3 zoning of the 2nd and the 3rd floor of the dwelling at 267 Spring Street to a guest house designation for the purpose of using the space as a short term rental.

What special conditions and circumstances exist which are peculiar to the land, structure or building involved, which are not applicable to other lands, structures or buildings in the same district?

The property at 267 Spring Street is currently a R3 zoned property on the 2nd and 3rd floor with a commercial designation for The Mariner Gallery on the first floor of the property of 267 Spring Street.

Explain how the literal interpretation of the provisions of this zoning code deprive the applicant of rights commonly enjoyed by other property owners in the same district under the provisions of this zoning code?

We are currently designated as a R3 residential property which does not allow us to use this property as a guest house for the purpose of using it as a short term rental.

Explain why this is the minimum variance that will make possible the reasonable use of the land, building or structure.

The building at 267 Spring Street will physically stay the same as only the designation to a guest house would change. There are currently 2 unutilized units on the 2nd and 3rd floor that we would like to offer up to transient visitors.

The Zoning Boards Role

Special use permits shall be granted only where the zoning board of review finds that the proposed use or the proposed extension or alteration of an existing use is in accord with the public convenience and welfare, after taking into account, where appropriate:

1. The nature of the proposed site, including its size and shape and the proposed size, shape and arrangement of the structure;
2. The resulting traffic patterns and adequacy of proposed off-street parking and loading;
3. The nature of the surrounding area and the extent to which the proposed use or feature will be in harmony with the surrounding area;
4. The proximity of dwellings, churches, schools, public buildings and other places of public gathering;
5. The fire hazard resulting from the nature of the proposed buildings and uses and the proximity of existing buildings and uses;
6. All standards contained in this zoning code;
7. The comprehensive plan for the city.

The burden of proof in a special-use permit application is on the applicant. This means that if the applicant fails to present adequate competent evidence to prove the applicable standard for issuing a special-use permit has been met, the board must deny the application.

In granting a variance, the zoning board of review shall **require** that evidence of the following standards be entered into the record of the proceedings:

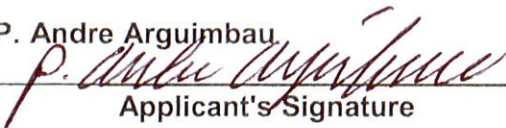
- a. That the reasons set forth in the application justify the granting of the variance and that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure;
- b. That the variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare, and will not impair the intent or purpose of the zoning code or the comprehensive plan upon which this zoning code is based;
- c. That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not due to the general

characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant; and


- d. That the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain.
- e. 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. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted shall not be grounds for relief;

By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read the section entitled "The Zoning Board's Role".

P. Andre Arguimbau


Applicant's Signature

Peter Arguimbau


Owner's Signature

(203)969-5211

Telephone Number

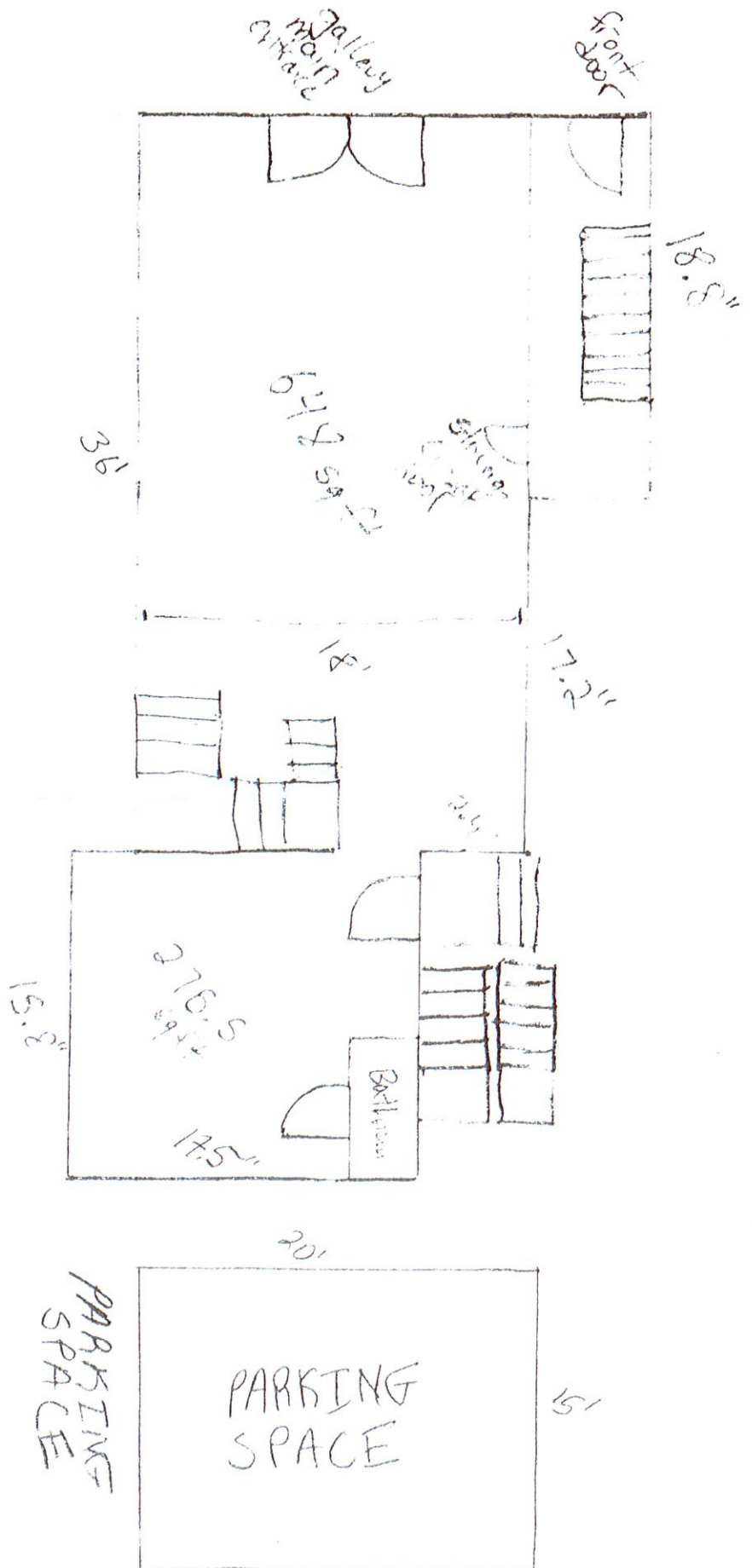
(203)550-9791

Telephone Number

Email address peterandrearguimbau@gmail.com
broncolayne@optonline.net

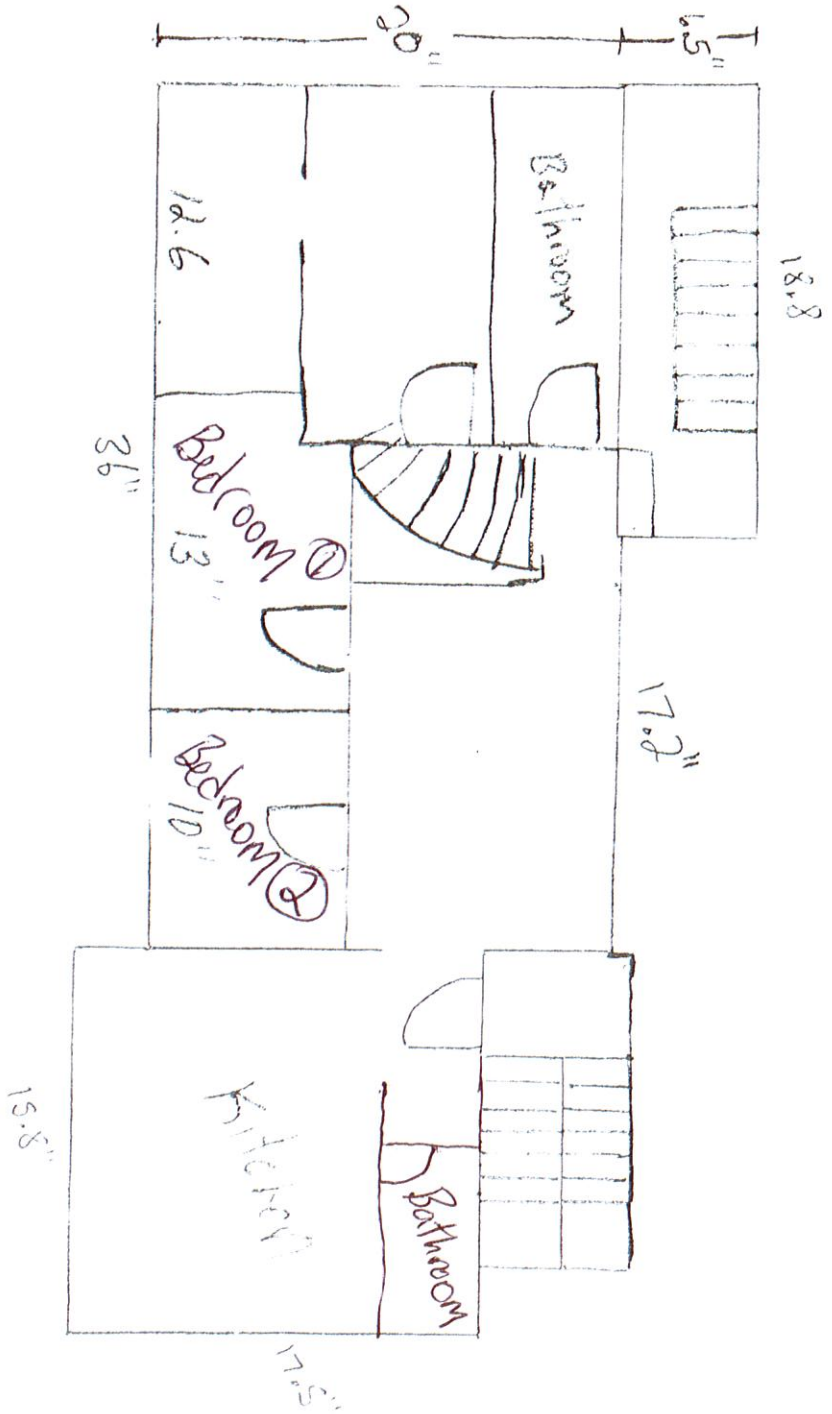
Be sure all required drawings are attached to this application at the time of the submittal.

Marina Gallery, Main Floor



648
276.5
924.5 sq ft

267 Spring St Residence - 2nd floor



267 Spring St Residence 3rd Floor

