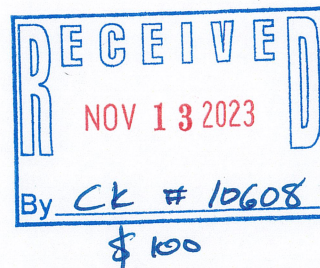


APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

ZBR



DATE: Nov. 13, 2023

Board members:

2023-Dec-016

The undersigned hereby petitions the Zoning Board of Review for 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: 43 Eastis Ave.

Tax Assessor's Plat 11 Lot 298

Petitioner Information

Applicant Jeffrey B. & Mary Case Miller Address 3 Summer St. Newport

Owner same Address same

Lessee n/a Address n/a

Property Characteristics

Dimensions of lot-frontage 90' depth 78½' area 6,978 sq. ft.

Zoning District in which premises is located R10 A

How long have you owned above premises? 25 years

Are there buildings on the premises at present? yes

Total square footage of the footprint of existing buildings 1,966

Total square footage of the footprint of proposed buildings 1,966 - no change

Present use of premises 3 family residential

Proposed use of premises same - no change

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

Give extent of proposed alterations We want to add a driveway (11'x25') on the North side of Taber St. to offer one off-street parking spot to our 3rd floor tenant, who currently has no off-street parking and who's main access to the unit is in the rear of the building.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	6,978	10,000	6,978
Lot Coverage (%)	28.2	20%	28.2
Dwelling Units	3	3	3
Parking	2 + garage	6	3 + garage
Front Setback		15'	
Side Setbacks	5½'	10'	5½'
Rear Setback	↖ 25'	20'	↖ 25'
Height	2½ stories	30'	2½ stories

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

Currently there is a driveway off Eastis Ave. which is diagonally across the lot. There are 2 parking spots used by existing tenants and a two car garage. This is a corner lot and the main access to the 3rd floor apartment is in the rear of the building, next to the proposed driveway.

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?

The design and use we propose is exactly like all the current houses on Taber St: single line pull in off street parking adjacent to the building. Our proposal is to use a reasonable part of the current yard to have a single, pull-in, off street parking spot designed consistent with the existing Taber St. house driveways.

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

Although 43 Everts Ave is a 3 family building, we are attempting to keep the residential ambience of the property consistent with the neighborhood while offering safe off-street parking to all the tenants in our building. This relief will be consistent with the rest of the area. To consider adding parking according to the existing code would mean paving over the entire yard and adding substantially more run off into an already sensitive environment.

The Zoning Boards Role

In granting a variance, the zoning board of review shall **require** that evidence of the following standards shall 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 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".

Jeffrey B. Miller
MaryLasso Miller

Applicant's Signature

(401) 862-3862
Telephone Number

Jeffrey B. Miller
MaryLasso Miller

Owner's Signature

(401) 862-3862
Telephone Number

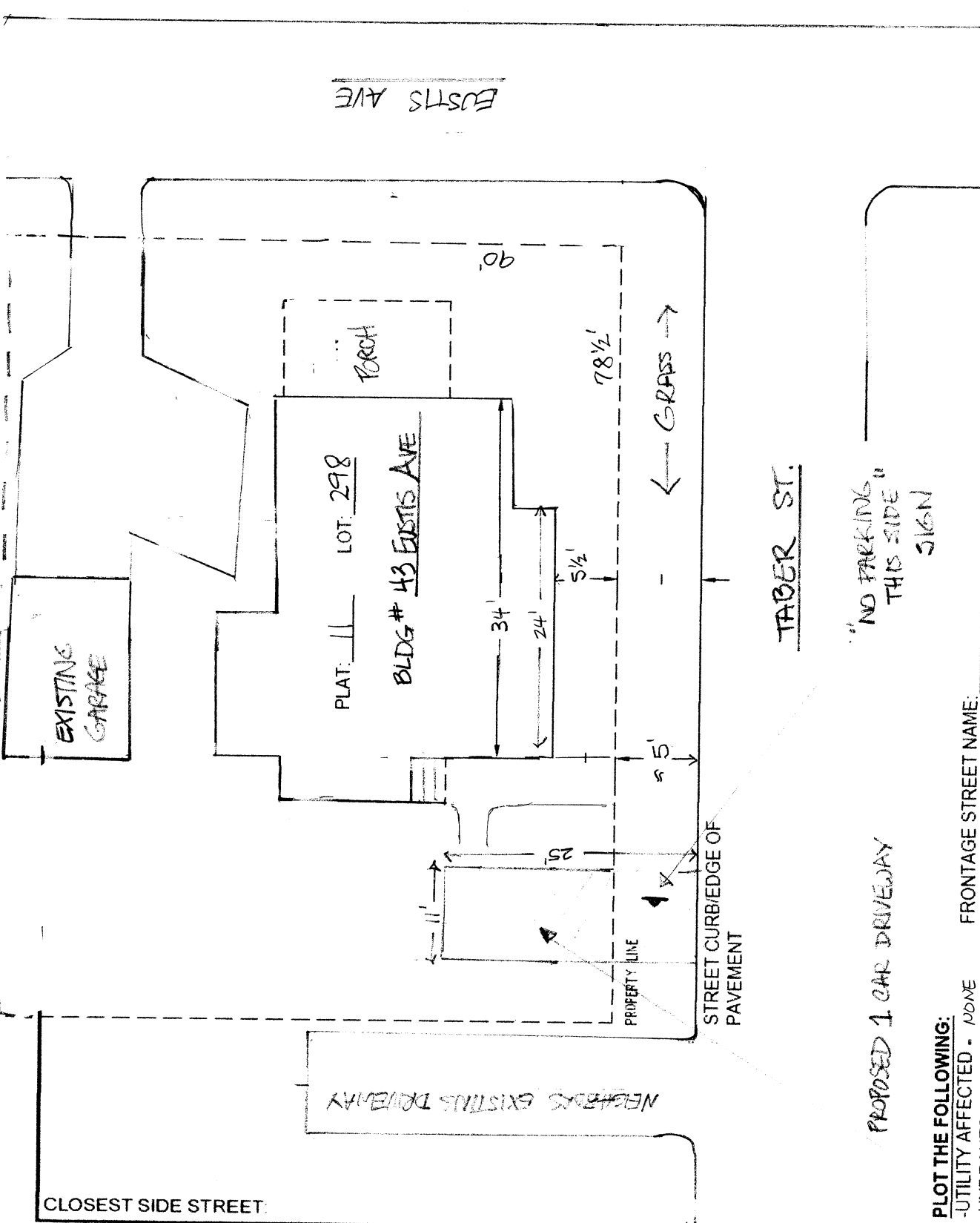
Be sure all required drawings are attached to this application at the time of the submittal.

Curb Cut/Driveway Application

SKETCH OF EXISTING AND PROPOSED WORK

Identify streets, sidewalks, curbs, utility poles, hydrants, trees, fences, signs noting the wording, address & plat/lot, dimensions (clearances between house/fence/structures, driveway width at property line and opening at street), north arrow, etc.

CLOSEST SIDE STREET



PLOT THE FOLLOWING:

- UTILITY AFFECTED - NONE
- HYDRANTS - NONE
- UTILITY POLES - NONE
- TREES - NONE
- TYPE OF SIDEWALK - GRASS
- AREA OF WORK DIMENSIONS (EXISTING AND/OR PROPOSED) 11' x 25'

FRONTAGE STREET NAME:

CITY OF NEWPORT
DEPARTMENT OF PUBLIC
SERVICES

WORK SKETCH TEMPLATE

REVISION DATE:
JANUARY 2019

SCALE: N/A

FIGURE
1.01