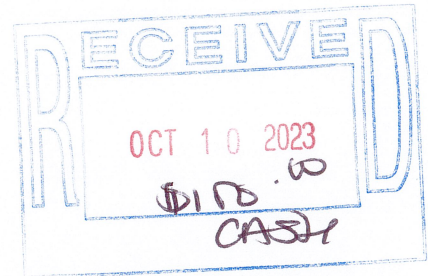


APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

ZBA-2023-NEW-012



DATE: October 10, 2023

Board members:

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: 15 Atlantic Avenue

Tax Assessor's Plat 44 Lot 132

Petitioner Information

Applicant Family Retreat LLC/Karl Feitelberg Address 15 Atlantic Avenue Newport, RI

Owner Same as above Address _____

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 150' depth 278' area 41,700 sq. ft.

Zoning District in which premises is located R-40A

How long have you owned above premises? 11 years

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 3336 SF

Total square footage of the footprint of proposed buildings 1931 SF

Present use of premises single family residence

Proposed use of premises single family residence

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

Give extent of proposed alterations Construct a pergola on an existing patio with an outdoor kitchen and an inground pool with a surrounding patio and decking, per plan.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	41,700	40,000	41,700
Lot Coverage (%)	8%	10%	11.9%
Dwelling Units	1	1	1
Parking (# of spaces)	6	NA	
Front Setback	50'	50'	50'
Side Setbacks	40'	40'	40'
Rear Setback	20'	20'	20'
Height	35'	35'	35'

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?

Plat 44, lot 42 naturally slopes to the west which results in the proposed patio and pool to be elevated, which results in the patio and landscaping surroundign the pool to be included in the lot coverage calculation. Normally this would not be the case, pursuant to the zoning ordinance.

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 literal interpretation of the provisions of the zoning code would prevent this small addition to lot coverage. The addition to lot coverage is consistent and compatible with other areas in the neighborhood.

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

The pool and outdoor kitchen have been placed within the building envelope, outside of of the rear and side setbacks. Due to the necessary grading, the existing patio and landscape surrounding the pool has been added to the lot coverage calculations exceeding the allowable 10%.

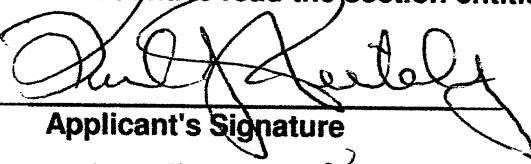
The Zoning Boards Role

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:

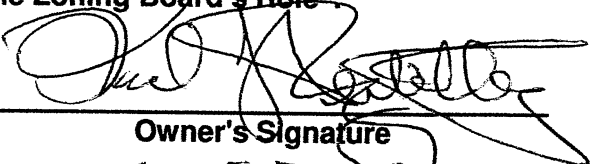
- a. That the reasons set forth in the application justify the granting of the variance and that the variance, if granted, is the minimum variance that will make possible the reasonable use of the land, building or structure;
- b. That the variance will not be injurious to the neighborhood or otherwise 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"


Applicant's Signature

(617) 645 3548
Telephone Number


Owner's Signature

(617) 645 3548
Telephone Number

Email address KTEITELBERG@VERIZON.NET

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

September 17, 2023


City of Newport, RI
Zoning Board of Review

Dear Board Members,

This is to confirm our support for the Application for Regulatory Variance being filed by the owners of the land located at 15 Atlantic Avenue, Newport RI 02840, showing on Plat 44, Lot 132.

As direct abutters to this parcel, we met with the petitioners to review their proposed plans for their land. As such, please let this letter serve in support of their request, confirming we have no objection to their petition to increase the authorized lot coverage from 8% to 12% on said property.

Sincerely,


Craig Shapero, Manager
527 Ocean Avenue
Newport, RI 02840

October 5, 2023

City of Newport, RI

Zoning Board of Review

Dear Board Members,

This letter is to confirm my support for the Application for Regulatory Variance being filed by the owners of the land located at 15 Atlantic Avenue, Newport RI 02840, showing on Plat 44, Lot 132.

As an across-the-street neighbor, I am in full support of their petition to increase the authorized lot coverage from 8% to 12% on said property.

Sincerely,

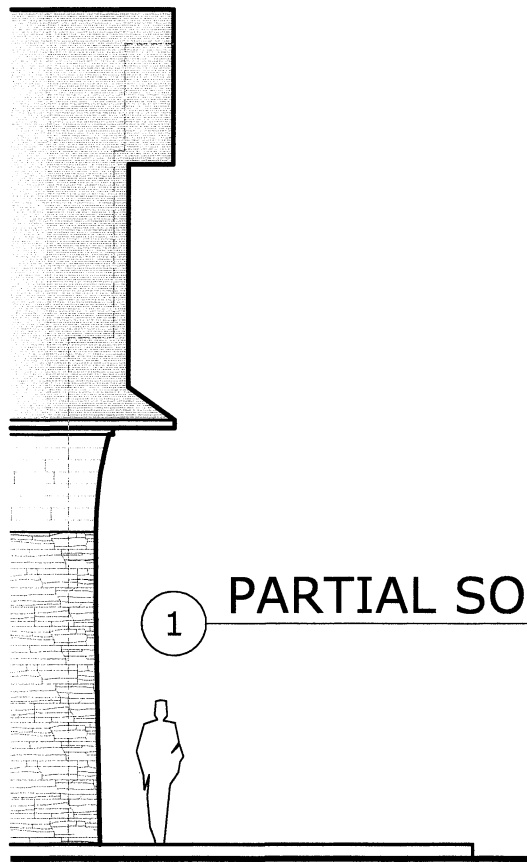
A handwritten signature in cursive script, appearing to read 'Alicia Van Arsdall'.

Alicia Van Arsdall

20 Atlantic Avenue, Newport, RI 02840



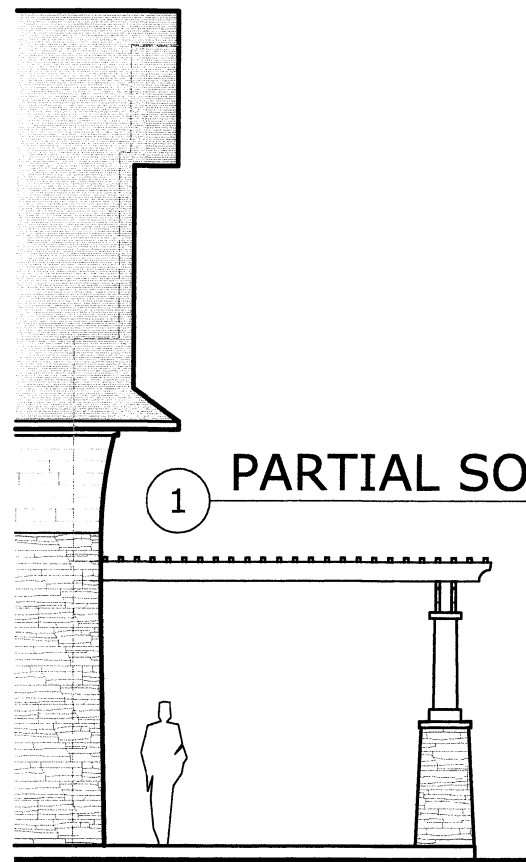
1 PARTIAL WEST ELEVATION- EXISTING
Scale: 1/8"= 1'-0"



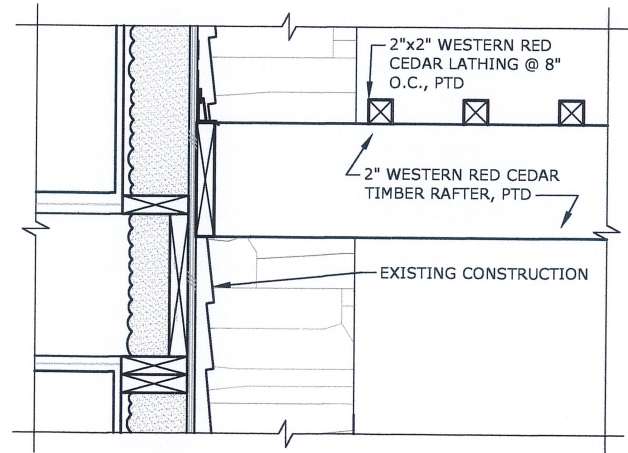
1 PARTIAL SOUTH ELEVATION- EXISTING
Scale: 1/8"= 1'-0"



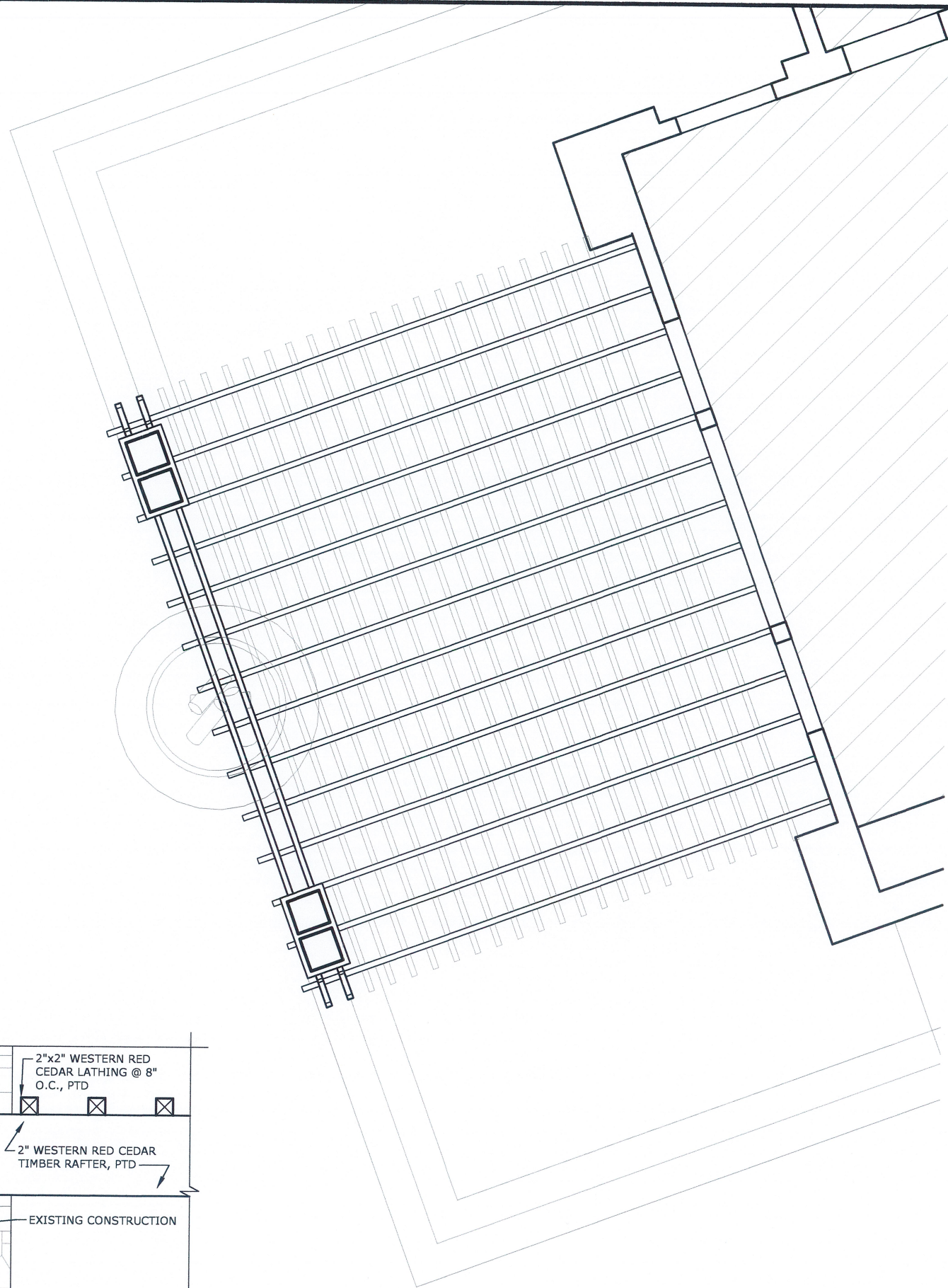
1 PARTIAL WEST ELEVATION- PROPOSED
Scale: 1/8"= 1'-0"



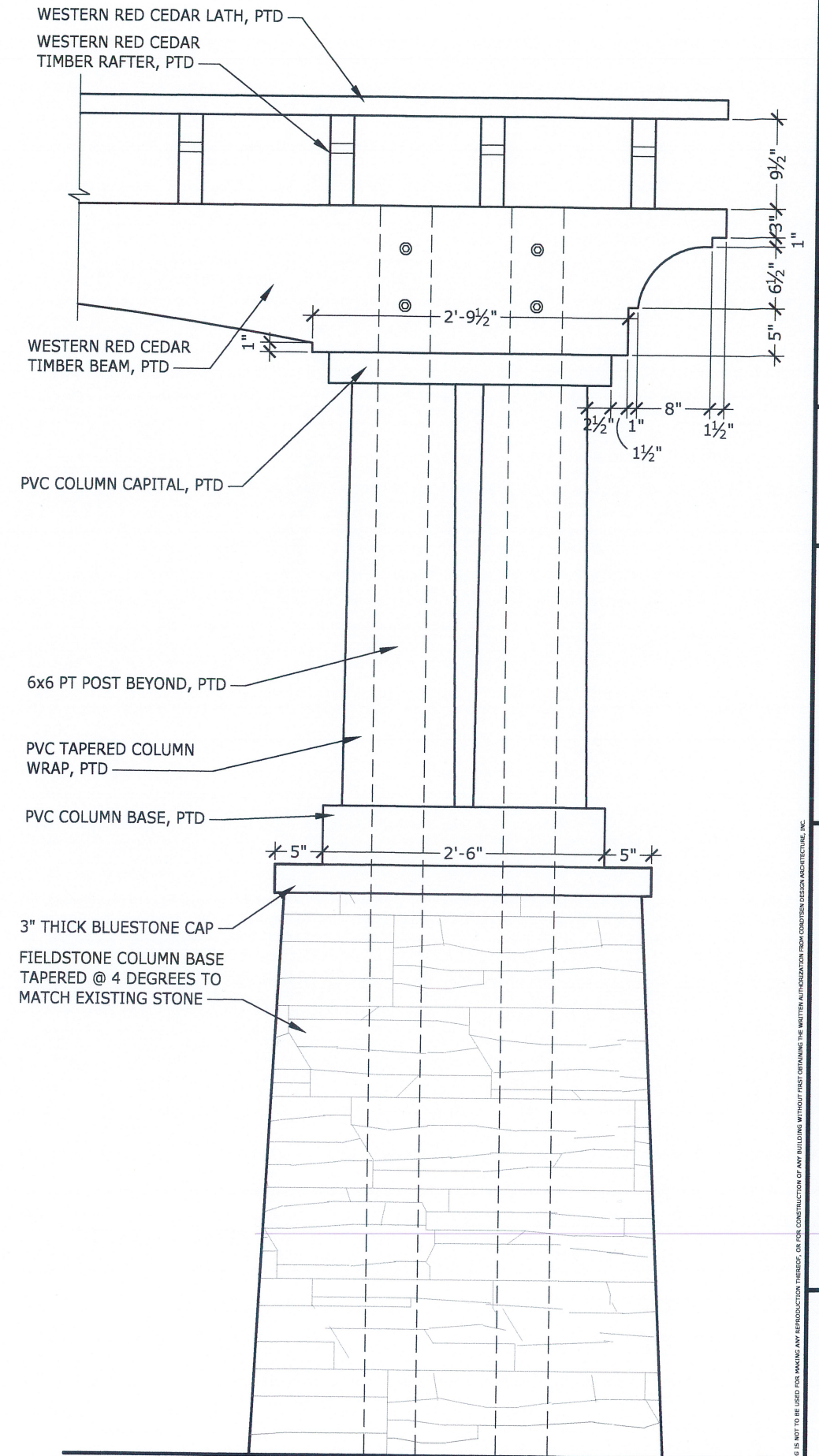
1 PARTIAL SOUTH ELEVATION- PROPOSED
Scale: 1/8"= 1'-0"



1 PERGOLA TO HOUSE DETAIL
Scale: 3/4" = 1'-0"



2 PARTIAL RCP @ PERGOLA
Scale: 1/4" = 1'-0"



3 PERGOLA COLUMN ELEVATION DETAIL
Scale: 3/4" = 1'-0"



CORTSEN
DESIGN
ARCHITECTURE
42 West Main Road
Middletown, RI 02942
CortsenDesign.com
401.619.4689

REVISIONS:

DESCRIPTION: PERGOLA DETAILS

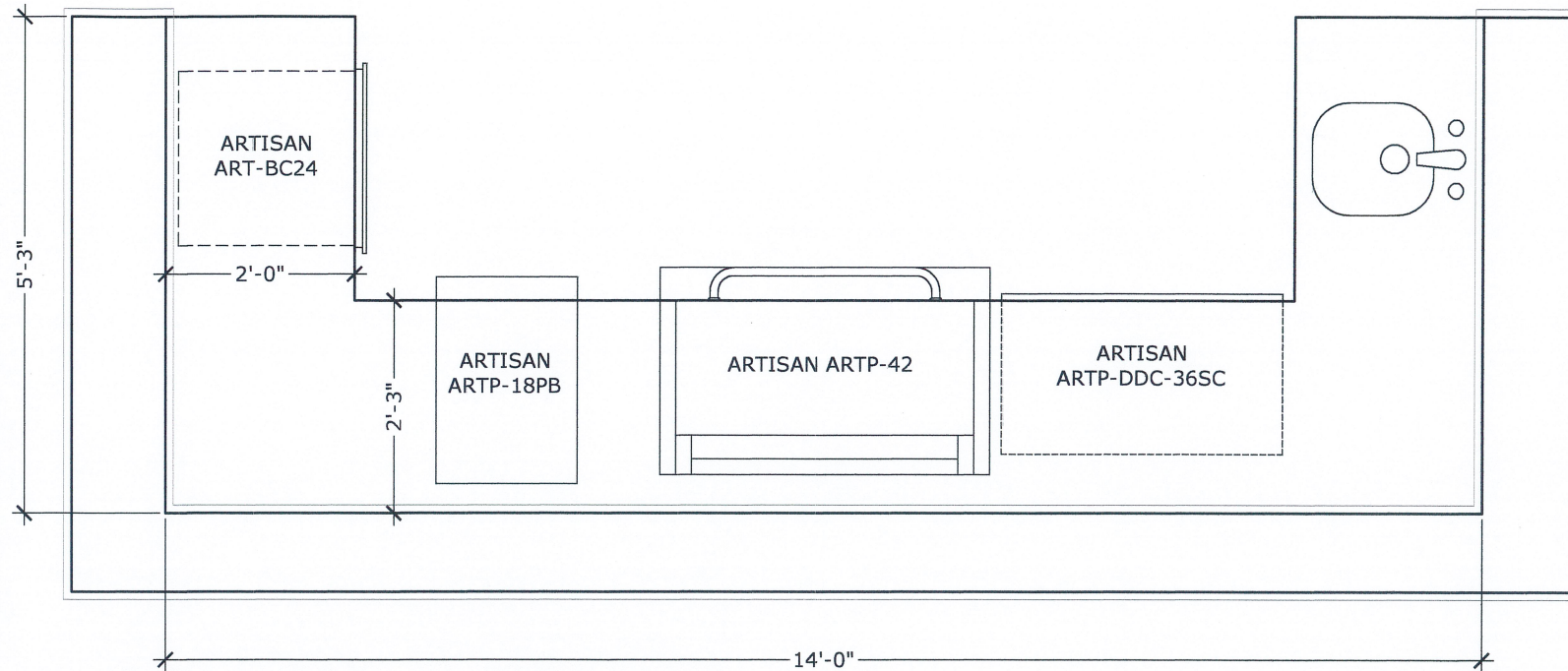
SCALE: As Noted

DATE: September 19th, 2023

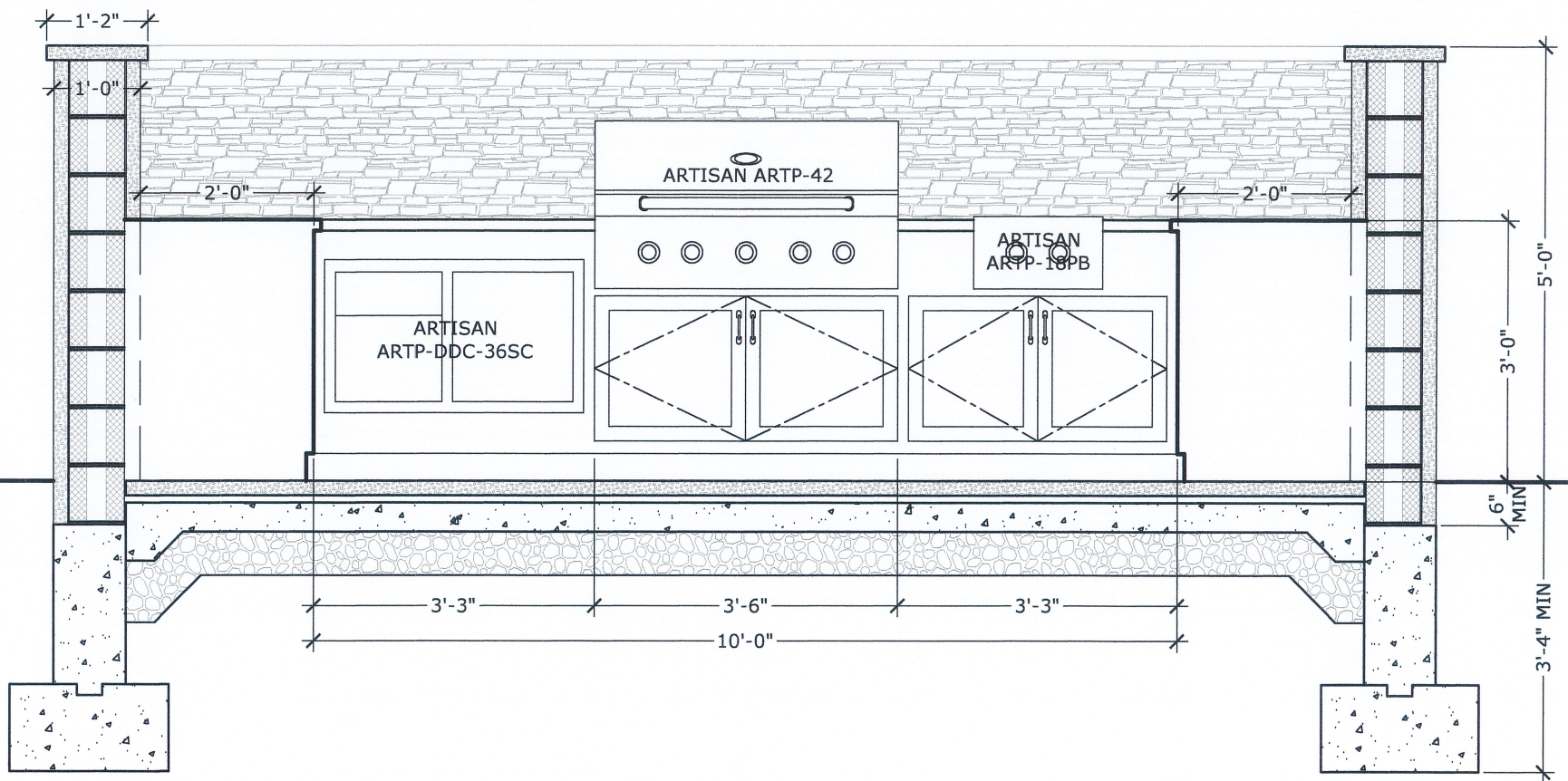
FEITELBERG RESIDENCE
15 Atlantic Ave
Newport, Rhode Island

A3.0

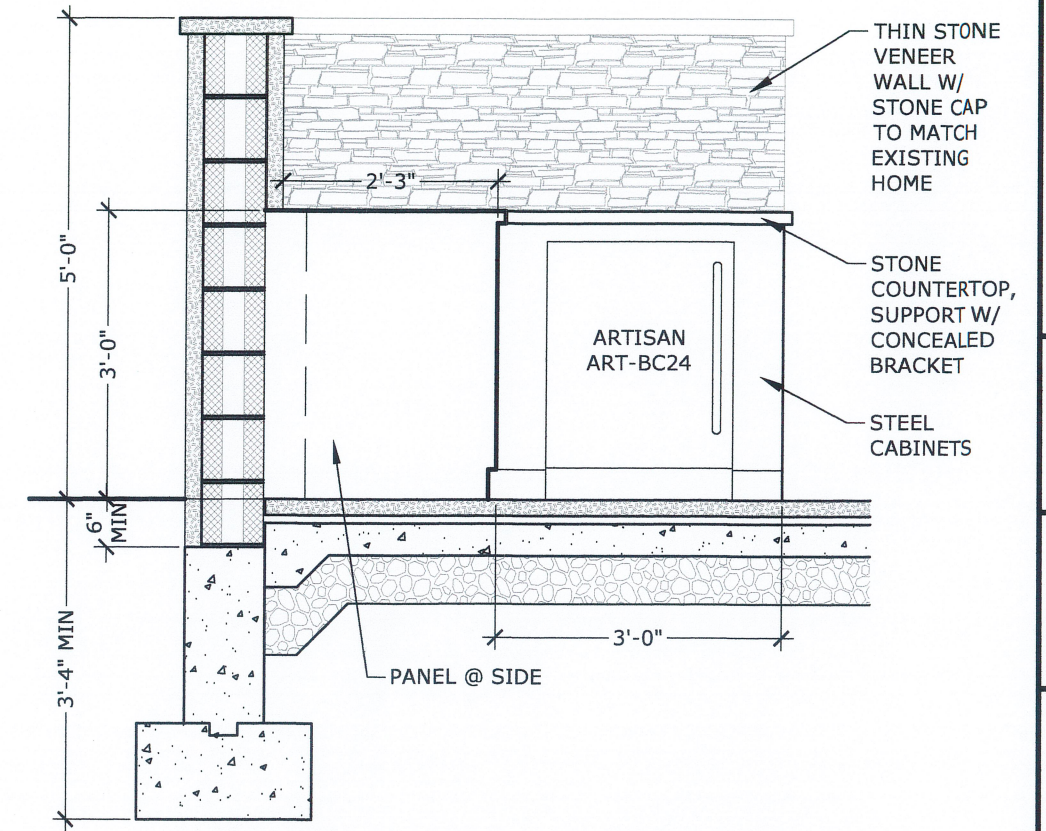
2023 © COPYRIGHT. THIS DRAWING IS NOT TO BE USED FOR MAKING ANY REPRODUCTION THEREOF, OR FOR CONSTRUCTION OF ANY BUILDING WITHOUT FIRST OBTAINING THE WRITTEN AUTHORIZATION FROM CORTSEN DESIGN ARCHITECTURE, INC.



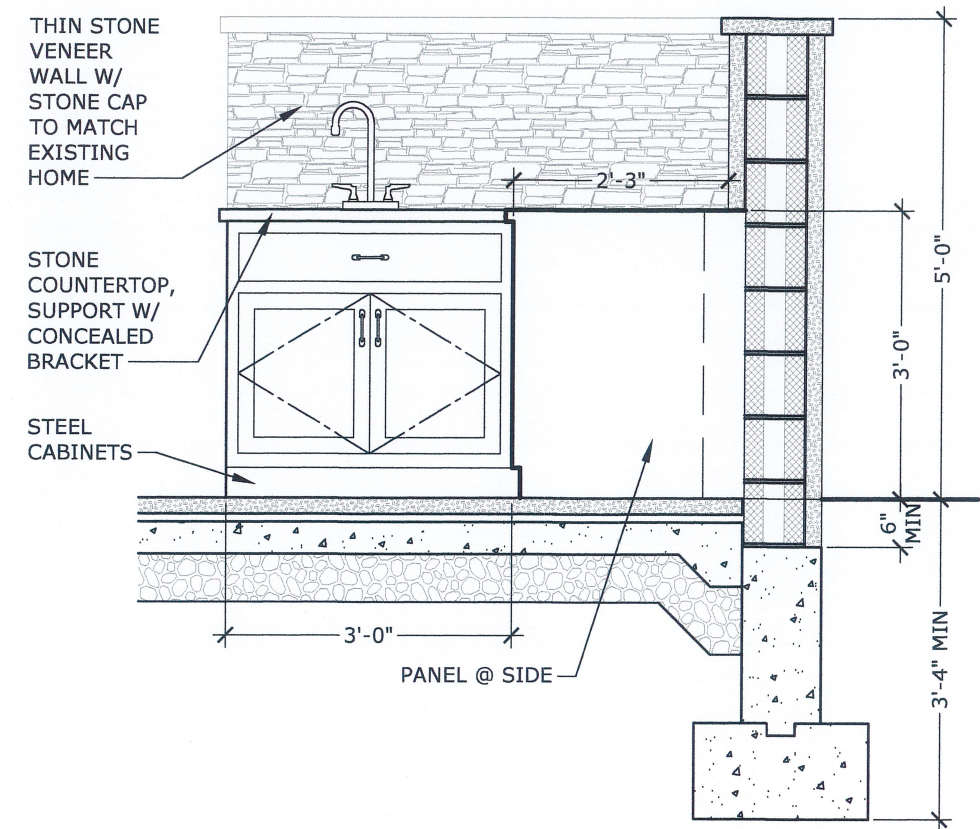
1 **OUTDOOR KITCHEN PLAN**
Scale: 1/2" = 1'-0"



3 **OUTDOOR KITCHEN ELEVATION**
Scale: 1/2" = 1'-0"



2 **OUTDOOR KITCHEN ELEV**
Scale: 1/2" = 1'-0"



4 **OUTDOOR KITCHEN ELEV**
Scale: 1/2" = 1'-0"



**CORDTSEN
DESIGN
ARCHITECTURE**
42 West Main Road
Middletown, RI 02842
CordtsenDesign.com
401.619.4689

REVISIONS:

DESCRIPTION:
OUTDOOR KITCHEN DETAILS

SCALE:
As Noted

DATE:
September 19th, 2023

FEITELBERG RESIDENCE
15 Atlantic Ave
Newport, Rhode Island

A3.1

2022 © COPYRIGHT. THIS DRAWING IS NOT TO BE USED FOR MAKING ANY REPRODUCTION THEREOF, OR FOR CONSTRUCTION OF ANY BUILDING WITHOUT FIRST OBTAINING THE WRITTEN AUTHORIZATION FROM CORDTSEN DESIGN ARCHITECTURE, INC.

