

Posted 9/19/2024

NEWPORT ZONING BOARD OF REVIEW
Monday, September 23, 2024 – 6:30 P.M.

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

1. August 26, 2024 Draft Minutes

IV. Communications –

1. **Extension Requests** –
 - i. 7 Cottage – Request for 12 -month extension
2. **Withdrawal Requests** – None

V. Summary Calendar

1. App. #2024-Sept-002 PETITION OF SOMERSHOME LLC, applicant and owner, **316 Gibbs Avenue**, TAP 23, Lot 070, (R-20 Zone; Historic Overlay) for special use permit and dimensional variance to construct a second-story addition, located 24.89’ from the Catherine Street front property line (30’ required).
Application Materials, July 31, 2024
Staff Report, September 19, 2024
2. App. #2024-Sept-006 PETITION OF BRIAN EGY, applicant and owner, **30 Thames Street**, TAP 17, Lot 303, (R-10 Zone; Historic Overlay) for special use permit and dimensional variance to construct a 2-story addition, increasing the lot coverage from 46.2% to 51.2% (35.8% allowed).
Application Materials, August 9, 2024
Staff Report, September 19, 2024

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3. App. #2024-Sept-007 PETITION OF DONNA MEDERIOS, applicant and owner, **24 Winans Avenue**, TAP 44, Lot 082, (R-40A Zone; Historic Overlay) for special use permit and dimensional variances to renovate a free-standing outdoor shower and an outdoor chimney, construct an outdoor kitchen located 4'-1" from the rear property line (5.07' required), construct a free-standing pergola, increasing the lot coverage from 16.7% to 17.6% (15% allowed).
Application Materials, August 9, 2024
Substandard Lot Proportionality Calculations
Supplemental Plans, September 9, 2024
Staff Report, September 19, 2024

VI. Abbreviated Summary

1. Amended App. #2023-Dec-006 PETITION OF CLINTON COX, applicant and owner, **493-495 Broadway**, TAP 06, Lot 345, (R-10 Zone) for dimensional variances to construct an accessory shed in the rear yard, located 2' from the north (side) and east (rear) property lines (4.87' required for both). **(Continue to October 28, 2024 by request of the Applicant)**
2. App. #2024-Sept-001 PETITION OF THOMAS M. FINN, JR, applicant and owner, **9 Lincoln Street**, TAP 19, Lot 086, (R-10 Zone) to modify a previously-approved special use permit and dimensional variance to expand the approved covered front porch by 36 sq.ft., increasing the lot coverage from the approved 35.75% to 36.46% (20% allowed).
Application Materials, July 15, 2024
Staff Report, September 19, 2024
3. App. #2024-Sept-005 PETITION OF BARBARA PEDRO, TRUSTEE, applicant and owner, **15 Keeher Avenue**, TAP 11, Lot 441, (R-10A Zone) for a permanent extension to a previously-approved special use permit to operate a dog daycare out of the residence as a home occupation.
Application Materials, August 8, 2024
Staff Report, September 19, 2024
4. App. #2024-Sept-012 PETITION OF RI PROPERTY WIRE, LLC, applicant and owner, **199 Spring Street**, TAP 27, Lot 010, GB Zone; Historic Overlay) for dimensional variance to convert an existing single-family dwelling to a 3-bedroom transient guest facility without providing the required additional parking on-site (3 additional parking spaces required). Off-site parking has been acquired.
Application Materials, August 13, 2024
Staff Report, September 19, 2024

VII. Appeals - None

VIII. Full Hearing Petitions to be Considered

1. *App. #2024-Jul-006 PETITION OF THE JEFFERY L. CLARK TRUST, applicant and owner, **33 Corne Street**, TAP 27, Lot 015, (R-3 Zone; Historic Overlay) for special use permits and dimensional variances to demolish an existing shed and bulkhead and construct a new single-car garage and basement access enclosure, construct a wheelchair access ramp, and construct a third-floor dormer matching the existing roof height of 37'6" (30' permitted), increasing the lot coverage from 51% to 58% (45% allowed).
Application Materials, June 6, 2024
Objection – Regan, July 31, 3034
Supplemental Site Plan, September 6, 2024
Supplemental – Existing and Proposed Deck Comparison, September 19, 2024
Supplemental – Land Use Report, September 19, 2024
Supplemental – Neighbor Support Petition, September 19, 2024
Supplemental – Sightlines and Massing Study, September 19, 2024
Staff Report, September 19, 2024
2. App. #2024-Sept-003 PETITION OF MATTHEW DOHERTY, applicant and owner, **7 Coddington Wharf**, TAP 32, Lot 216, (WB Zone) for dimensional variance to convert a one-bedroom guest house to a three-bedroom guest house, without providing additional parking (2 additional spaces required).
Application Materials, August 5, 2024
Supplemental – Traffic Letter, September 19, 2024
Staff Report, September 19, 2024
3. App. #2024-Sept-008 PETITION OF WESLEY PROPERTIES & HOLDINGS, LLC, applicant and owner, **111 Kay Street**, TAP 20, Lot 176, (R-10A Zone) for special use permits to add a rear second floor roof deck and a third-floor balcony on a non-conforming property.
Application Materials, August 13, 2024
Supplemental – Land Use Report, September 19, 2024
Staff Report, September 19, 2024

*Indicates objection(s) to the application

IX. Full Hearing Petitions to be Continued

1. *App. #2024-Mar-008 PETITION OF C.C.B CAPITAL & REAL ESTATE, INC., applicants and owners, **406-410 Thames Street**, TAP 27, Lot 184, (LB Zone) for a special use permit and dimensional variance to convert a dwelling to a guest house, with no on-site manager, without providing additional parking spaces (2 additional parking spaces required). (**Continue to 10/28/2024 by request of the Applicant**)

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2. *App #2024-May-011 PETITION OF EMMANUEL EPISCOPAL CHURCH, applicants and owners, **0 Spring Street**, TAP 32, Lot 182 (R-10 Zone), for a dimensional variance to install nine (9) condenser units 5' from the South Baptist Street front property line (20' required for accessory structures). **(Continue to 10/28/2024 by request of the Applicant)**
3. *App #2024-May-016 PETITION OF ANDREW & AVANI McHUGH, applicants and owners, **2 Wheatland Court**, TAP 37, Lot 036-4 (R-10A Zone), to demolish an existing dwelling, and dimensional variances to construct a new single-family dwelling, reaching a height of 38'-6" (36'-9" permitted as defined by FEMA), establishing a lot coverage of 57.54% (35.13% permitted). **(Continue to 10/28/2024 to be readvertised)**
4. *Amended App. #2023-Jun-012 PETITION OF C.C.B. CAPITAL & REAL ESTATE INC., applicant, 144 THAMES STREET, LLC, owner, **144-150 Thames Street**, TAP 24, Lot 045, (GB Zone) for dimensional variances to construct a new mixed-use building, containing 14 Vacation Guest Facility units (11 permitted), providing 17 parking spaces (48 spaces required). **(Continue to 10/28/2024 by request of the applicant)**
5. *App. #2024-Jul-005 PETITION OF CHRIS & KATHY VIEIRA, applicants and owners, **221-225 Spring Street, Unit 6**, TAP 27, Lot 054, (GB Zone; Historic Overlay) for a dimensional variance to convert a residential dwelling unit to a Guest House without providing additional parking spaces (2 additional spaces required). **(Continue to 10/28/2024)**
6. *App. #2024-Aug-005 PETITION OF 78-80 THAMES STREET, LLC, applicant and owner, **78-80 Thames Street**, TAP 17, Lot 138 (GB Zone, Historic Overlay), for a retroactive dimensional variance to convert an existing dwelling to a guest house, without providing additional parking spaces (3 additional spaces required). **(Continue to 10/28/2024 by request of the applicant)**
7. App. #2024-Aug-006 PETITION OF 20-24 FRANKLIN STREET, LLC, applicant and owner, **20-24 Franklin Street**, TAP 27, Lot 050 (GB Zone, Historic Overlay), for a retroactive dimensional variance to convert an existing dwelling to a guest house, without providing additional parking spaces (4 additional spaces required). **(Continue to 10/28/2024 by request of the applicant)**
8. App. #2024-Sept-010 PETITION OF 523-525 THAMES STREET, LLC, applicant and owner, **523-525 Thames Street**, TAP 35, Lot 124, (WB Zone) for a retroactive dimensional variance to convert two existing dwelling units to guest house units, without providing additional parking spaces (2 additional spaces required). **(Continue to 10/28/2024)**
9. App. #2024-Sept-013 PETITION OF 87 SPRING STREET, LLC, applicant and owner, **87 Spring Street**, TAP 35, Lot 124, (GB Zone) for a retroactive dimensional variance to convert an existing dwelling to a guest house, without providing additional parking space (1 additional space required). **(Continue to 10/28/2024)**

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*Indicates objection(s) to the application

X. Inactive Petitions & Appeals:

1. Appeals Awaiting Transcripts or Briefs: None
2. Petitions Pending Other Board Decisions (Continued Generally)
 - a. *App #2024-Mar-006 PETITION OF A1 ROOFING & CONSTRUCTION, LLC, applicant and owner, **134-136 Spring Street**, TAP 24, Lot 163 (GB Zone), for a special use permit to construct a second-floor roof deck over a new first-floor addition. (**Continue, Pending HDC Review**)

XI. Other Inactive Petitions

1. *PETITION OF BP REALTY, LLC, applicant and owner; **Banisters Wharf**, DBA The Black Pearl, TAP 24, Lot 276, (WB zone); for a special use permit and variance to the dimensional requirements for permission to install a 14'2" by 7'6" retractable awning structure over the northern portion of the existing outdoor bar area which will be located 0' from the north property line (5' required).
2. APPEAL OF MR. JASON PERKINS, appellant; NRI 12 GOODWIN ST PARTNERSHIP, owner; appealing the issuance of building permit #125985 applying to the property located at **12 Goodwin St.**, TAP 35, Lot 244, (WB zone).
3. *App #2024-Apr-011 PETITION OF LA FARGE RESTORATION FUND AT NEWPORT CONGREGATIONAL CHURCH, applicant and owner, 0 Spring Street & Pelham Street, **0 Pelham Street (aka 73 Pelham Street)**, TAP 27, Lots 011 and 284 (R-3 Zone, Historic Overlay), for a special use permit to convert the existing church and former Parish Hall to a museum. (**Continue generally by request of the applicant**)
4. App. #2024-Jul-003 PETITION OF CHURCH OF JESUS SAVIOR OF NEWPORT, applicant and owner, **507 Broadway**, TAP 06, Lot 009-4, (R-10 Zone) for a variance to construct a twenty (20) space parking lot to serve the Jesus Savior Church, not located on the same lot as the church. (**Continue generally by request of the applicant**)

XII. Adjournment

Please note:

Meetings begin promptly at the time posted and will not last for more than four (4) hours. The Board normally will take a short break after 1½ to 2 hours of hearings to re-assess the agenda and their ability to reach the remaining items pending before it.

The Board will not entertain/begin a new petition after 9:30 p.m. and will conclude all hearings at 10:00 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.

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Please send any inquiry to Nick Armour, Zoning Officer, at narmour@cityofnewport.com or call (401) 845-5452