

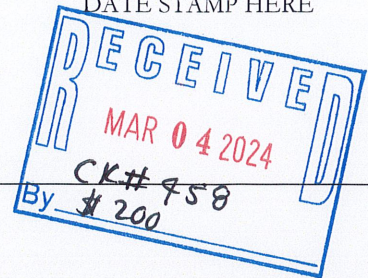


# Newport Zoning Application

ZBR 2024 - Apr - 002

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Date: March 4, 2024

## Board members:

The undersigned hereby petitions the Zoning Board of Review for a special use permit or 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: 172 Spring St. Newport RI 02840

Tax Assessor's Plat: 24 Lot: 309 Zoning District: General Business District

- Special Use Permit (Non-Conforming Alteration)
  Regulatory (Dimensional) Variance  
 Special Use Permit (New Use)
  Use Variance
  Modification

Property Owner: Karen McGuinness, Trustee

Mailing Address: PO Box 495, Little Compton, RI 02837

Email Address: karenpersonalemail@gmail.com

Phone Number: 401 266 4659

How long have you been the owner of the above premise? 8.5 years

Legally Authorized Representative \*if applicable: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Lessee: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_



# Newport Zoning Application

## Property Characteristics

Dimensions of lot-frontage: 33.75 ft. Lot Area: 1485 sq. ft.

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings: 909 sq. ft.

Total square footage of the footprint of proposed buildings: N/A sq. ft.

## Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	1485	5000	
Coverage Area (sq. ft.)			
Lot Coverage (%)	61.3%	80%	
Dwelling Units	1	1	
Parking (# of spaces)	0	4	I have arranged to lease four (4) private parking spaces 24/7 365 days a year just one block away
Front Setback (ft.)	0	0	
Side Setbacks (ft.)	0	0	
Rear Setback (ft.)	12'	12'	
Height (ft.)			



# Newport Zoning Application

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

Present use of Premise: \_\_\_\_\_ **Four-bedroom dwelling**

Proposed use of Premise: \_\_\_\_\_ **Four-bedroom Guest House**

## Summary of Proposed Alterations

I propose to convert the existing dwelling to a Guest House, a use allowed by right in the General Business District. This conversion requires one parking space per bedroom, plus a manager space, with one parking space credited under the conversion rule in the historic district, for a total of four required onsite parking spaces. Since the subject property is substandard in size, and has no additional space for providing parking, I am proposing to satisfy the parking requirement by providing a minimum of four (4) private parking spaces at any one time accessible 24/7 365 days a year at a private parking facility just one block from the subject property. This private parking facility is extremely convenient, being just a 4-minute walk from the subject property. It also provides an extremely secure parking arrangement since it is both gated and guarded. Having been built in 1971, this private parking facility is also well established. Guests will not have to pay for this convenient and secure private parking at any time of year since I will subsume the cost of leasing these four (4) spaces.



# Newport Zoning Application

## Applicant Statement

How does your application meet the required standards for variance(s) or special use permit(s)?  
(See page 6 for most common applicable standards)

### 1. Satisfaction of standard 17.108.020.C.1

The hardship stems from the unique characteristics of the subject land, a non-conforming lot of record with insufficient size.

### 2. Satisfaction of standard 17.108.020.C.2

The hardship is due to the historical nonconformity of the lot and therefore not the result of any prior action on my part

### 3. Satisfaction of standard 17.108.020.C.3

Granting the variance will not alter the general character of the surrounding area, since I am proposing to satisfy the parking requirement by providing a minimum of four (4) full-time private parking spaces at a private, well-established, gated parking facility just one block from the subject property.

Granting the variance to allow the reasonable enjoyment of the subject property's permitted use as a Guest House contributes to the local economy and local businesses and accommodates visitors, aligning with the Comprehensive Land Use Plan "by helping to promote an economic climate which increases quality job opportunities and overall economic well-being and helps the city plan for seasonal influxes in population due to tourism, the Navy and Salve Regina University."

One of the Comprehensive Plan's objectives is also for "a wide range of businesses and entrepreneurs to thrive year-round".

Guest Houses are allowed by right in the General Business Zone, indicating alignment with the neighborhood's character.

There will be no physical alteration of the historic property.

### 4. Why the Granting of This Variance is Minimal

Given the substandard size of the property, providing the required parking spaces is not feasible. Granting the variance to allow the satisfaction of the parking requirements by providing four (4) full-time private parking spaces at a private parking facility just one block from the subject property is minimal to allowing the reasonable enjoyment of the subject property's permitted use as a Guest House.



# Newport Zoning Application

Upon submittal of this application, please make sure you have also reviewed our Zoning Application Submittal Requirements packet, and included with your application, a copy of the Submittal Checklist which can also be found here: [Zoning Application Submittal Requirements](#). If an application is missing any submittal requirements and/or necessary application information, your application may be regarded incomplete. Incomplete applications will not be publicly advertised or appear on an agenda until the project is deemed complete.

**By signing below, I hereby attest that the information provided is accurate and truthful. I also attest that I have read through this application thoroughly and understand what is required to submit a completed application.**

*Karen M. Gurners*

Applicant Signature

03/04/2024

Date

*Karen M. Gurners*

Owner Signature

03/04/2024

Date

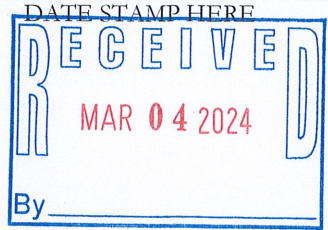


# Newport Zoning Application Submittal Requirements

ZBR 2024 - Apr - 002

- Special Use Permit (new)  Variance
- Special Use Permit (modification)  Modification

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## SUBMITTAL REQUIREMENTS CHECKLIST

Applications that are missing materials in this checklist will not be accepted for review.

### Section 1 – Application Forms – Page 3 of the Guide Required for All Projects

- A.  Completed Zoning Project Application Packet comprised of the following individual sections:
  1.  Zoning Project Application Form
  2.  Completed copy of this Zoning Application Submittal Requirements Checklist (Page 2)
- B.  Request to Waive any Submittal Requirements (*if applicable*)
- C.  Application Fee (Please Refer to Current Fee Schedule)

### Section 2 – Plan Package – Pages 4-7 of the Guide Required for All Development Projects (Involving New Structures, Additions, Exterior Alterations, etc.) Individual requirements of the Plan Package (listed below) may differ depending on the project

- A.  Class I Site Survey
- B.  Proposed Site Plan
- C.  Lot Coverage Diagram
- D.  Floor Plans
- E.  Stormwater Management Plan
- F.  Landscape Plan
- G.  Building Elevations
- H.  Change of Use

### Section 3 – Supporting Documents, Studies, Graphics, and Depictions – Page 8 of the Guide May be required for certain Development Projects

- A.  Site Photographs
- B.  Photo Simulations
- C.  Structural Evaluation
- D.  Parking Survey
- E.  Traffic Impact Analysis

March 2, 2024

Nicholas Armour  
Zoning Officer  
City Hall, 3rd floor  
43 Broadway  
Newport, RI 02840

RE: Variance Application proposing to satisfy parking requirement with four (4) full-time leased private parking spaces in an established facility one block from subject property.

Dear Nick,

Please accept this letter to accompany my submission of this Variance Application today and to be included in the packet of application materials.

I appreciated the feedback of the esteemed members of the Zoning Board in last Monday's hearing, and I immediately made efforts to secure a better solution. I was pleased to be able to inform you last Friday that I had arranged to lease four (4) private full-time parking spaces in an established facility one block from the subject property.

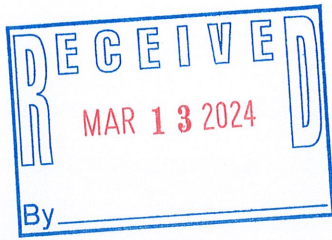
To ensure I remain in compliance with all rules, codes and regulations, I have suspended all business at the subject property, and respectfully request that my variance application be heard during the Zoning Board of Review's April meeting,

I look forward to presenting this solution of four (4) leased private parking spaces to the zoning board, and trust that it will be a satisfactory proposal to the opposing neighbor, who answered in the affirmative when asked by the board at last Monday's hearing if she would find the provision of four private offsite parking spaces a satisfactory solution.

Thank you for your time and assistance,



Karen McGuinness  
401 266 4659



Karen McGuinness <karenpersonalemail@gmail.com>

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## Parking at our Hotel

Jason Bjerk <JBjerk@newporthotel.com>  
To: Karen <karenpersonalemail@gmail.com>

Wed, Mar 13 at 10:10 AM

Karen,

I just wanted to follow up with you and let you know about our parking situation.

We currently have about 170 parking spaces at the hotel. We reserve 1 space per room (133) although we typically do not have that many guest cars, as some guests come by ride share or family. We also have ample parking for our team members. In addition to this I have parking overflow on the property that we can use for marina guests and other transient guest when available. These spaces are extra for us to sell daily and in no way conflict with hotel guests or associates parking ability. Rest assured we have enough parking that your spaces are not intruding on providing for the hotel and its team.

Warm Regards,



### Jason Bjerk

*General Manager*  
The Newport Harbor Hotel and Marina

49 America's Cup Avenue, Newport, RI 02840

Office: 401-848-3300

Email: [jbjerk@newporthotel.com](mailto:jbjerk@newporthotel.com)



151



THE NEWPORT  
HARBOR HOTEL AND MARINA

**0250**

**STAFF**

156



THE NEWPORT  
HARBOR HOTEL AND MARINA

**0255**

**STAFF**

161



THE NEWPORT  
HARBOR HOTEL AND MARINA

**0260**

**STAFF**

166



THE NEWPORT  
HARBOR HOTEL AND MARINA

**0265**

**STAFF**



Karen McGuinness <karenpersonalemail@gmail.com>

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## Parking Passes

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**Jason Bjerk** <JBjerk@newporthotel.com>  
To: Karen <karenpersonalemail@gmail.com>

Tue, Mar 5, 2024 at 11:43 AM

This email is to confirm that parking passes 250,255,260,265 are valid for use until April 30, 2025, with no restrictions.

Renewal is to be paid starting May 1 each subsequent year starting with 2025.

Warm Regards,



**Jason Bjerk**

*General Manager*

**The Newport Harbor Hotel and Marina**

49 America's Cup Avenue, Newport, RI 02840

Office: 401-848-3300

Email: [jbjerk@newporthotel.com](mailto:jbjerk@newporthotel.com)



The Newport Harbor Hotel and Marina

Hotel Viking

4 min  
0.2 miles

Seamen's Church-Institute-Newport

The Mooring Seafood Kitchen & Bar

172 Spring Street

Newport Art Mu

St. Mary Roman Catholic Church : Newport

Mary St

School Divi

Church St

America's Cup Ave

Pelham St

Green St

Franklin St