

ZBR 2024 - Aug - 007

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Amenal Application

JAN 1 6 2024

Date: January 12, 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: / Champiin Street
Tax Assessor's Plat: 23 Lot: 110 Zoning District: R-10A
Special Use Permit (Non-Conforming Alteration) Regulatory (Dimensional) Variance Special Use Permit (New Use) Use Variance Modification Property Owner: 7 Champlin Street Realty, LLC
Mailing Address: 5 Rosewood Lane, Hingham, MA 02043
Email Address:
Phone Number:
How long have you been the owner of the above premise? 1 Year (1/9/2023)
Legally Authorized Representative *if applicable: J. Russell Jackson, Esq.
Mailing Address: 122 Touro Street, Newport RI 02840
Email Address: jrjackson@millerscott.com Phone Number: 401-847-7500 Lessee:N/A
Mailing Address:
Email Address: Phone Number:



Property Characteristics

Dimensions of lot-frontage: N=104.7, W=90 ft. Lot Area: 9,315	sq. ft.
Are there buildings on the premises at present?	
Total square footage of the footprint of existing buildings: 2,290	sq. ft.
Total square footage of the footprint of proposed buildings: 2,651	sq. ft.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed	
Lot Size (sq. ft.)	9,315	10,000	9,315	
Coverage Area (sq. ft)	2,290	1,990.62	2,561	
Lot Coverage (%)	24.4	21.37	28.5	
Dwelling Units	1	1	1	
Parking (# of spaces)	2+	2	2+	
Front Setback (ft.)	N=8.25', W=13.76'	13.97	N=8.25', W=13.76'	
Side Setbacks (ft.) S=9.47', E=17.5'		9.32	S=10.5', E=15'	
Rear Setback (ft.)		20	N/A	
Height (ft.) 41.6'		30	41.6'	



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

Present use of Premise: Single Family Residence

Proposed use of Premise: Single Family Residence

Summary of Proposed Alterations

The Applicant seeks relief under the following provisions of the Zoning Code:

Section 17.108.020 (Special Use Permits)

Section 17.108.010 (Variances)

Section 17.72.030 (Alteration to Nonconforming Development)

Section 17.24.050 (R-10A Lot Coverage Requirements)

Section 17.24.060 (R-10A Building Height Requirements)

The Applicant proposes to renovate, modernize and upgrade the existing single family residence to accomdoate the Applicant's family which includes adult children and grandchildren. As part of that project an addition on the east side of the residence is proposed as well as new third floor dormers. The Applicant also plans to reconstruct the garage to include a full basement and a second floor. There is decking proposed to connect the house, garage, driveway and yard. The addition will allow for the expansion and modernization of the first floor living space and will also provide additional square footage to the two existing east facing bedrooms on the second floor and the new primary suite on the third floor. The modification and expansion of the garage structure, by itself, does not require relief, however the house addition and the new decking and stairs will add to lot coverage. The new dormers will match the existing roof height and will therefore exceed the building height limit and require a variance.

The existing parcel is a legal non-conforming lot of record containing 9,315 square feet of land. The property is in the R-10A Zone and is under the required lot size. It is a corner lot and is subject to two front setbacks. The existing structures already exceed lot coverage and encroach into both front setbacks. As a result of the existing conditions and dimensional non-conformities, any modest addition or expansion to the property will result in the need for zoning relief. The new improvements will meet all setback requirements. The existing front setback encroachments will not be altered or increased. The proposed improvements will require lot coverage relief. Total lot coverage will increase from 24.4% to 28.5%. The existing roof exceeds the building height limit of thirty feet, based in part on the grade of the site. There are new proposed dormers on the third floor. The dormer will match the existing roof height. No other building height relief is required. The resulting lot coverage is not unreasonable given existing lot coverage is already at 24.4%. The property is not in the Newport Historic District. The plan proposed by the Applicant is harmonious with the surrounding neighborhood and will not be injurious to, or inconsistent with the area or with the purpose and intent of the R-10A Zone.



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)

The existing parcel is a legal non-conforming lot of record containing 9,315 square feet of land. The lot is substandard for the R-10A Zone. The existing structures already exceed lot coverage, encroach into both front setbacks and exceed the thirty foot building height limitation. Based on the size of the lot, the application of two front setbacks, the irregular lot shape, the location of existing structures, and the building height, any reasonable improvements, additions or modifications will require dimensional relief. As a result of the conditions and circumstances that are peculiar to this non-conforming development, the proposed improvements will result in a modest increase of lot coverage and construction of dormers, a portion of which will be above thirty feet, requiring dimensional variances.

The subject property is located on the south side of Champlin Street and the east side of Prairie Avenue. The neighborhood is fully developed with a number of other abutting parcels with existing dimensional nonconformities. Other properties also exceed lot coverage, building height, and encroach into setbacks. The literal interpretation of the zoning code, resulting in the denial of the relief requested, would unreasonably deny this Applicant the ability to make the requested improvements for the full use and enjoyment of the property. The proposed improvements will be appropriate and consistent with the surrounding neighborhood, and the rights enjoyed by other property owners in this area of the R-10A Zone.

The proposal will require only a modest increase of lot coverage. Based on proportionality, the Applicant is entitled to 21.37% lot coverage by right. Existing lot coverage is 24.4% and proposed is 28.5%. The house already encroaches into both front setbacks. Those non-conformities will not be increased. The residence already exceeds building height. A new dormer is proposed to match the existing roof gable, but will not exceed existing building height. The improvements will allow for full modern amenities and a reasonable expansion of living space. The Applicant has taken great care to develop a proposed improvement plan which meets the needs of his family and is appropriate in scope, scale and size for this property. The overall proposal has been designed to meet the reasonable living needs of the Applicant with minimal dimensional variances. The hardship is driven by the substandard lot, the application of two front setbacks. and the fact that the existing structure already exceeds lot coverage, building height and encroaches into both front setbacks. The Applicant is seeking the minimum variance which will allow the reasonable use of the property. Accordingly, the proposed use of the property and the relief sought by the Applicant will not be injurious to, or create a burden for abutting property owners, will be harmonious with the neighborhood, and will be appropriate for this area of the R-10A Zoning District.



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.

Applicant Signature

January 12, 2024

Date

Owner Signature

Attorney for Applicant/Owner

Date



Applicable Standards for Approval of Variances and Special Use Permits for alterations to non-conforming developments

A. Variances - Newport Municipal Code Chapter 17.108

17.108.020.C.1. 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, excepting those physical disabilities addressed in GLRI §45-34-30(a)(16).

17.108.020.C.2. That the hardship is not the result of any prior action of the applicant

17.108.020.C.3. That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.

The zoning board of review, shall, in addition to the above standards, require that evidence is entered into the record of the proceedings showing that:

- a. In granting a use variance the subject land or structure cannot yield any beneficial use if it is required to conform to the provisions of the zoning ordinance. Nonconforming use of neighboring lands or structures in the same district and permitted use of lands or structures in an adjacent district shall not be considered in granting a use variance; and
- b. In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. 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. The zoning board of review, or planning board where unified development review is enabled shall have the power to grant dimensional variances where the use is permitted by a special use permit.

B. Special Use Permit - Newport Municipal Code Chapter 17.109

For applicable Standards for Special Use Permit Categories 1-5, please see Newport Municipal Code Chapter 17.109.020 A-E

Category 6

A structure or land which is nonconforming by dimension, but the use of which is a use permitted by right in the district in which the land or structure is located, shall only be altered, changed, enlarged or subject to addition or intensification with respect to its nonconforming element(s) by obtaining a special use permit from the zoning board of review. Special use permits for alterations, changes, enlargements, or subject to addition or intensification with respect to its nonconforming element(s) must comply with the following:

- 1. The alteration, change, enlargement, addition or intensification will not increase the dimensional nonconformity, or a variance shall be obtained from the zoning board of review, subject to the affirmative determination of the standards for variances under 17.108.020.C.
- 2. Will not alter the character of the surrounding area within 200' of the property lines.
- 3. No net increase in stormwater runoff from the site.
- 4. All proposed lighting is Dark-Sky compliant.



Newport Zoning Application Submittal Requirements

	1	
ZBR	-	DATE STAMP HERE
☐ Special Use Permit (new)	☐ Variance ☐ Modification	
SUBMITTAL REC	UIREMENTS	
Section 1 – Application Forms – Page Required for All Projects	3 of the Guide	
 A. Completed Zoning Project Applications: 1. Zoning Project Application 2. Completed copy of this Zon B. Request to Waive any Submittal Reg C. Application Fee (Please Refer to Complete to C	Form ning Application Submitta equirements (if applicable)	
Section 2 – Plan Package – Pages 4-7 of Required for All Development Projects (Inv Individual requirements of the Plan Packa	olving New Structures, Ad	
A. Class I Site Survey	E. Storm	water Management Plan
B. Proposed Site Plan	F. Lands	cape Plan
C. Lot Coverage Diagram	G. 🔳 Buildin	ng Elevations
D. Floor Plans	H. Chang	e of Use
Section 3 – Supporting Documents, St May be required for certain Development		epictions – Page 8 of the Guide
A. Site Photographs	D. 🗌 Parkin	g Survey
B. Photo Simulations	E. 🗌 Traffio	: Impact Analysis
C. Structural Evaluation		



© COVER PROPOSED

RENOVATION 7 CHAMPLIN STREET NEWPORT, RI 02840

'SCHEMATIC SET'

	SHEET LIST
Sheet Number	Sheet Name
A0	COVER
A010	EXTERIOR VIEWS
A012	SITE PLAN PROPOSED
A101	BASEMENT & 1ST FLOOR PLAN
A102	2ND & 3RD FLOOR PLAN
A111	BASEMENT PLAN PROPOSED
A112	1ST FLOOR PLAN PROPOSED
A113	2ND FLOOR PLAN PROPOSED
A114	3RD FLOOR PLAN PROPOSED
A121	ROOF PLAN PROPOSED
A211	EXTERIOR ELEVATIONS EXISTING
A212	EXTERIOR ELEVATIONS EXISTING
A221	FRONT (NORTH) ELEVATION PROPOSED
A222	SIDE (WEST) ELEVATION PROPOSED
A223	REAR (SOUTH) ELEVATION PROPOSED
A224	SIDE (EAST) ELEVATION PROPOSED





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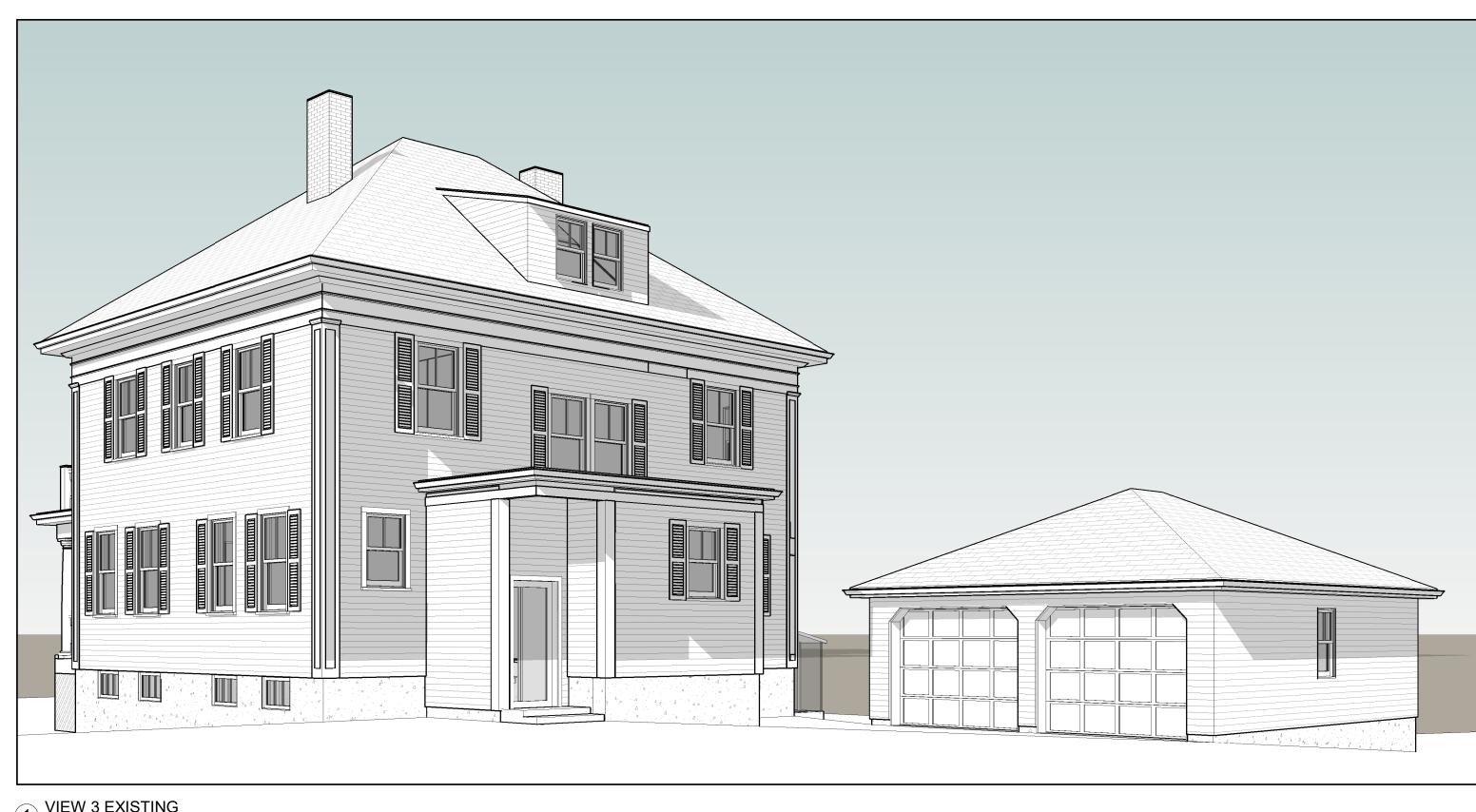
RENOVATION

7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIPTION:	COVER
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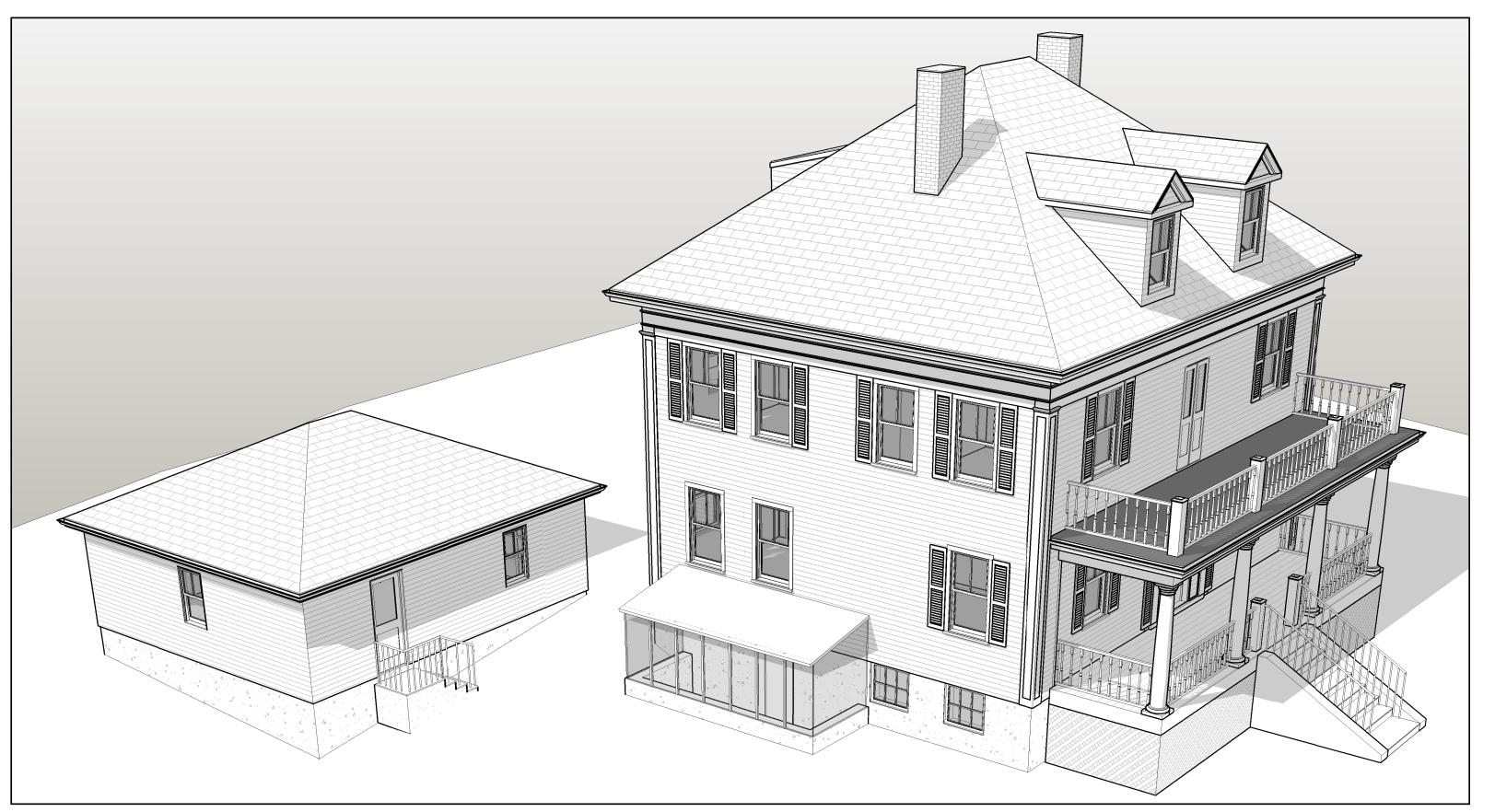
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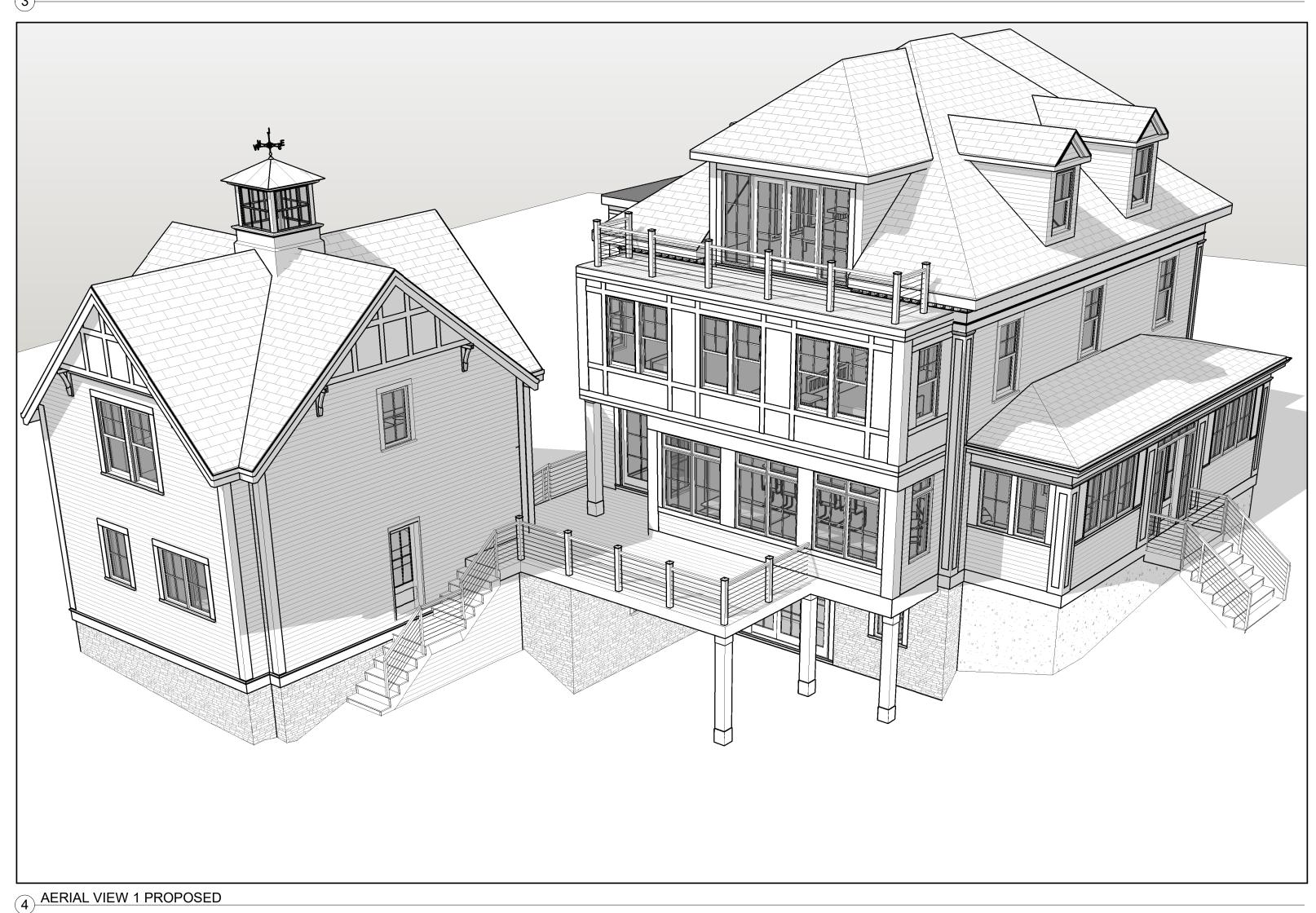
1 VIEW 3 EXISTING



2 VIEW 3 PROPOSED



(3) AERIAL VIEW 1 EXISTING





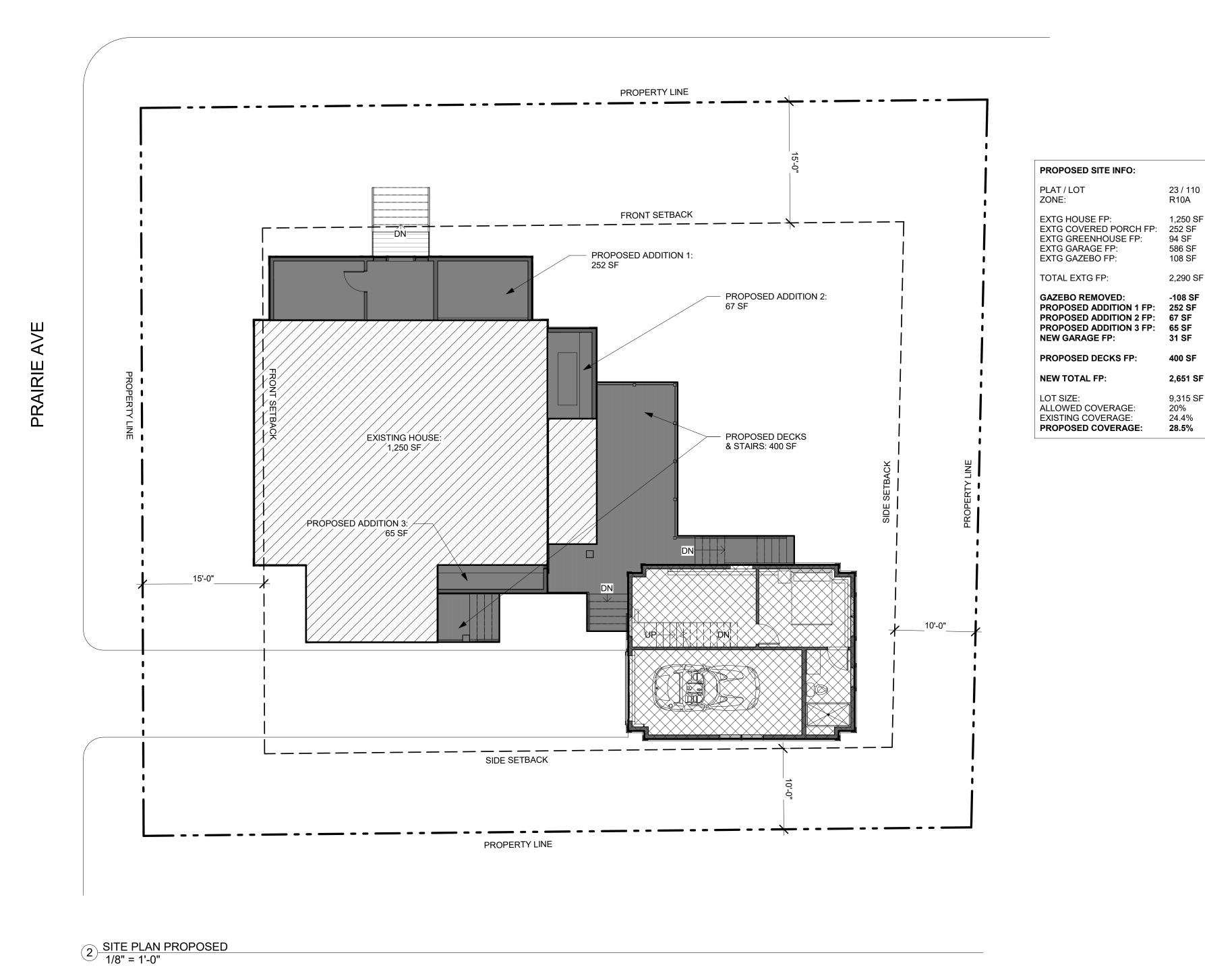
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RENOVATION

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CHAMPLIN STREET



EXECUTE 1	FAGAN DESIGN	
Ψ)	BUILD STUDIO	
	HISTORIC PRESERVATION - COMMERCIAL & RESIDENTIAL ARCHITECTURE - URBAN PLANNING & DESIGN	

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ESCRIPTION:	SITE PLAN PROPOSED	

SCALE: 1/8" = 1'-0" PAPER: 24"x36" DATE: 01-09-2024 "SCHEMATIC SET"

23 / 110 R10A

1,250 SF

94 SF

586 SF

108 SF

2,290 SF

400 SF

2,651 SF

9,315 SF

20% 24.4%

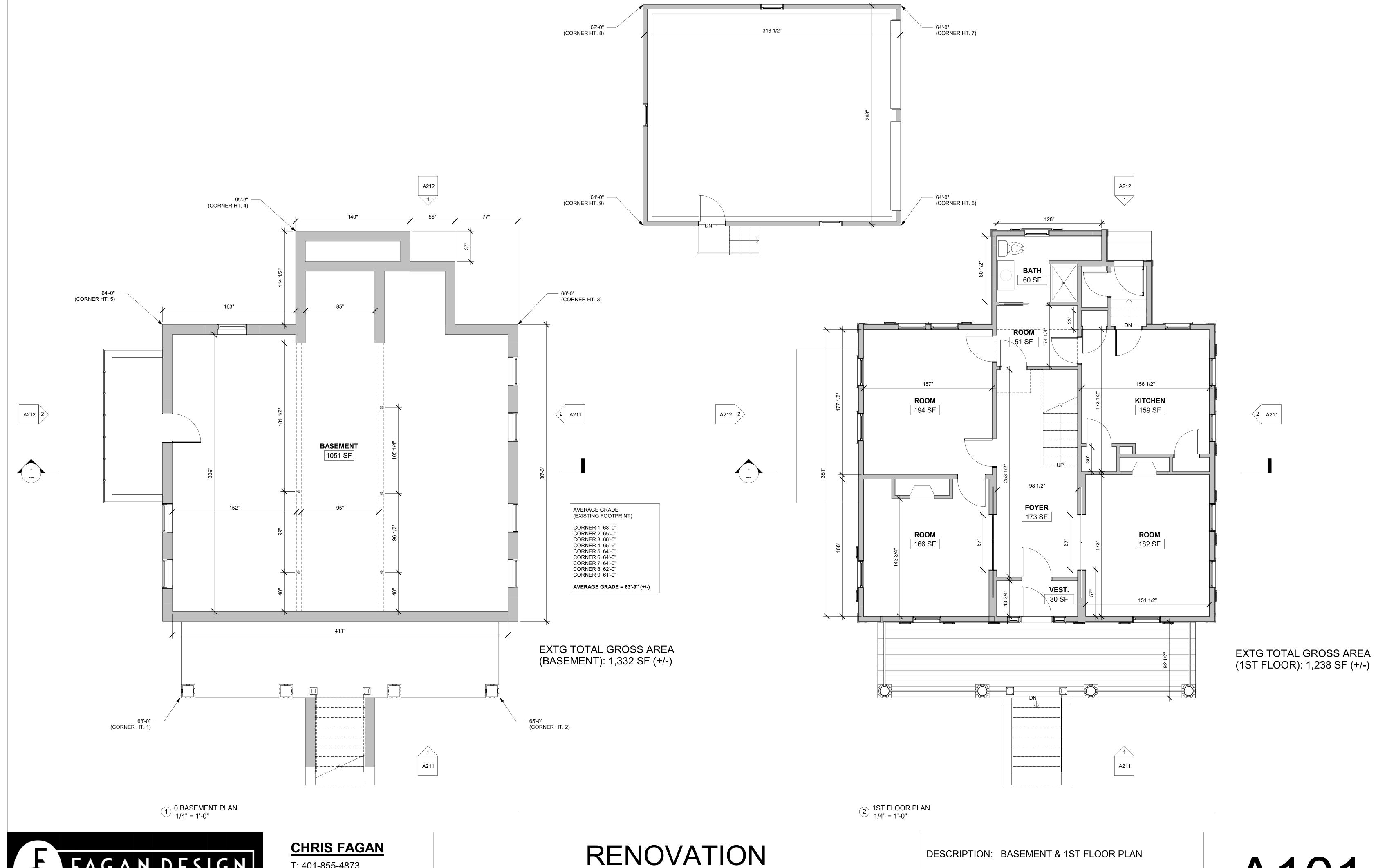
28.5%

EXTG GREENHOUSE FP:

NEW GARAGE FP:

NEW TOTAL FP:

PROPOSED DECKS FP:



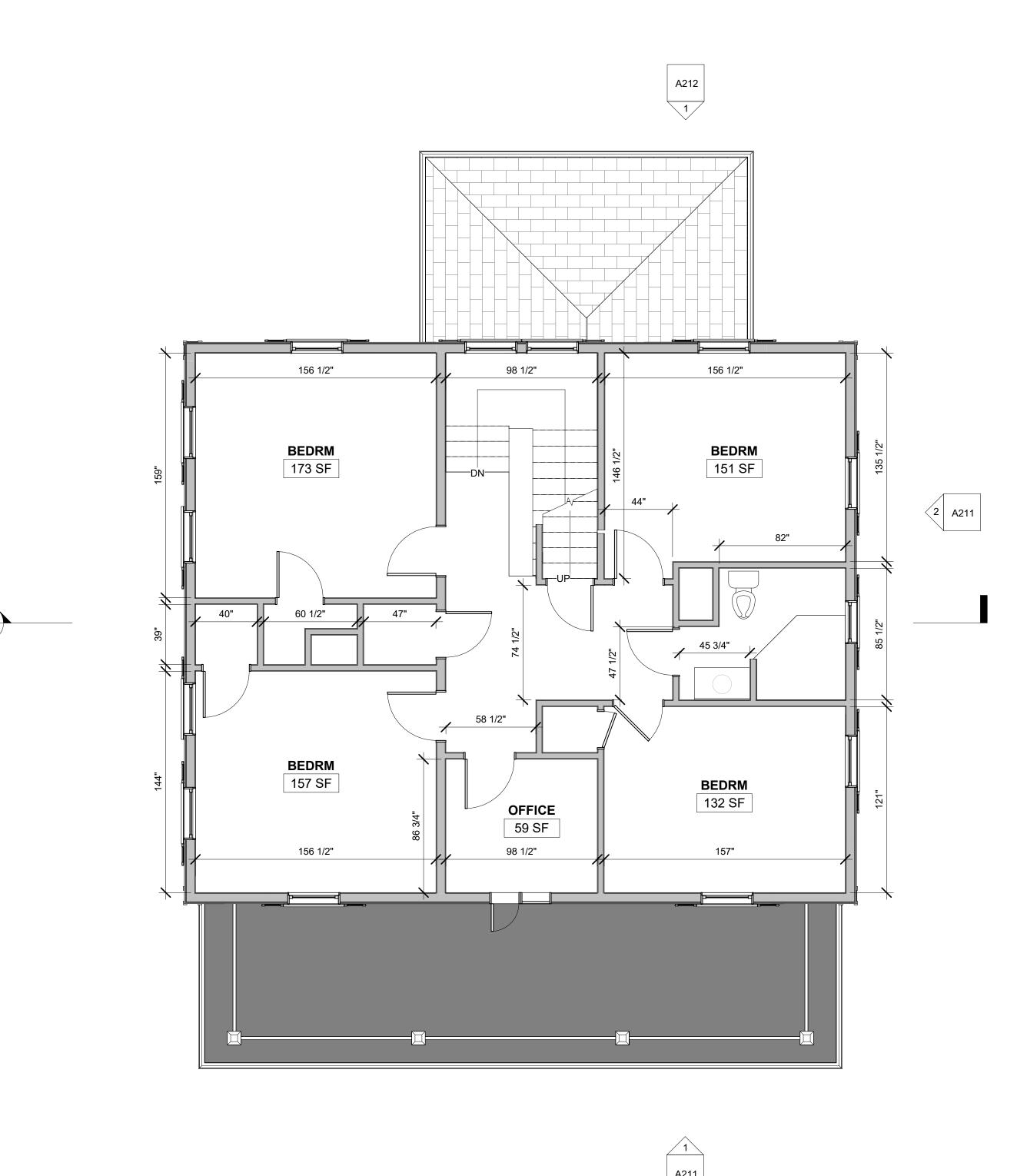


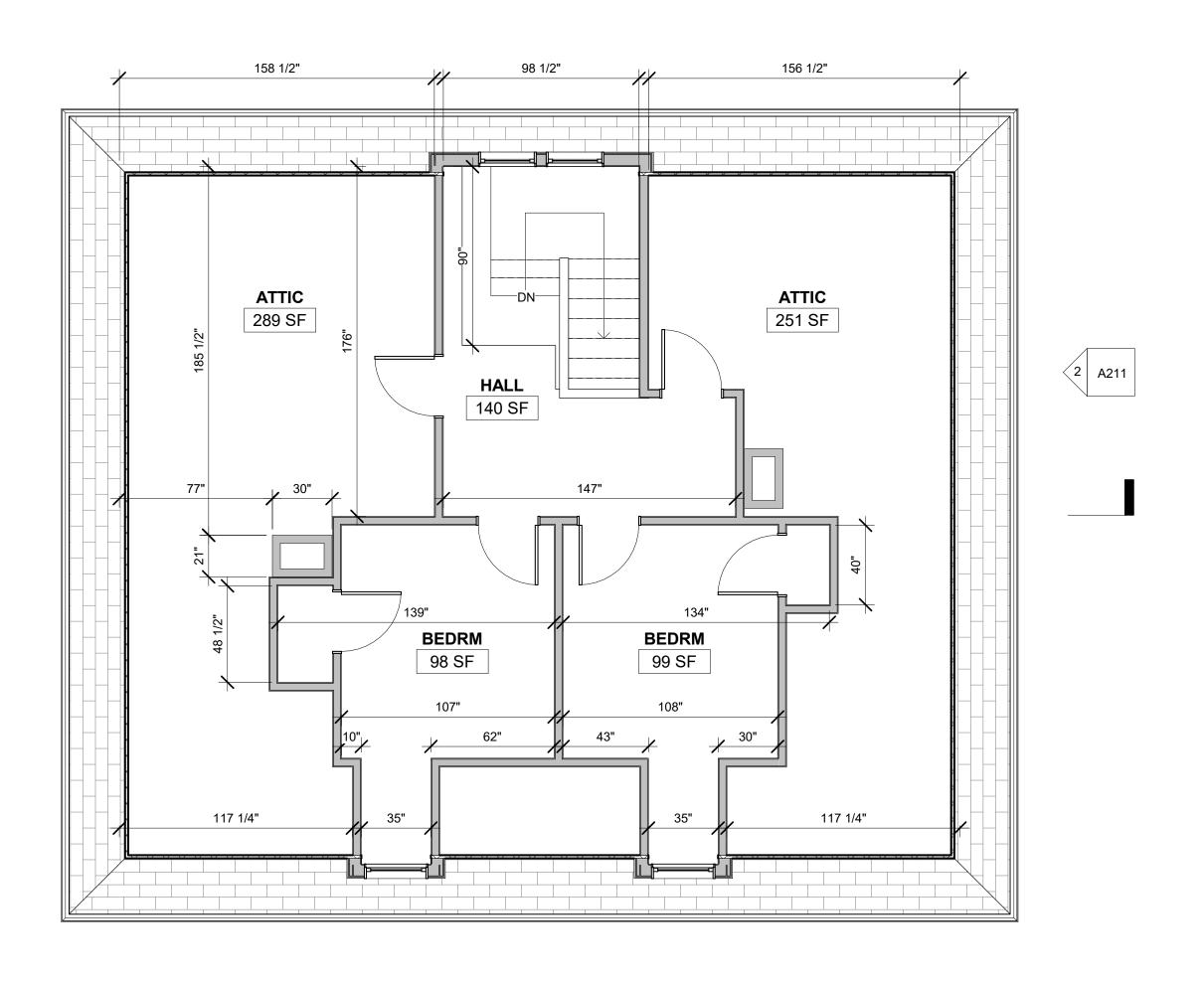
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7 CHAMPLIN STREET - NEWPORT, RI 02840

SCALE: 1/4" = 1'-0" PAPER: 24"x36"

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A211

1) 2ND FLOOR PLAN 1/4" = 1'-0"

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2 3RD FLOOR PLAN 1/4" = 1'-0"

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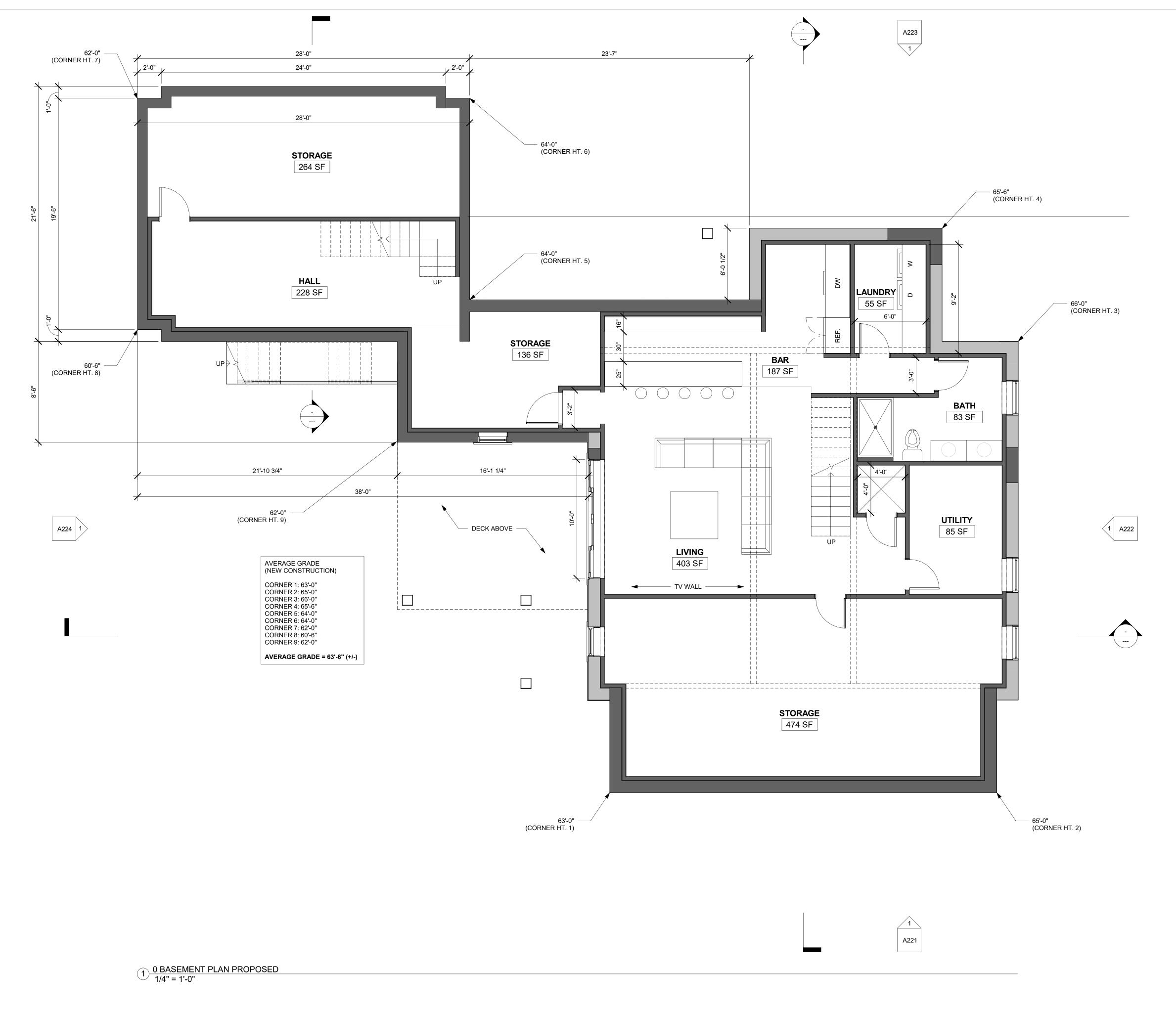
RENOVATION

7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIPTION:	2ND & 3RD FLOOR PLAN

SCALE: 1/4" = 1'-0" PAPER: 24"x36" DATE: 01-09-2024 "SCHEMATIC SET"

A211





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RENOVATION

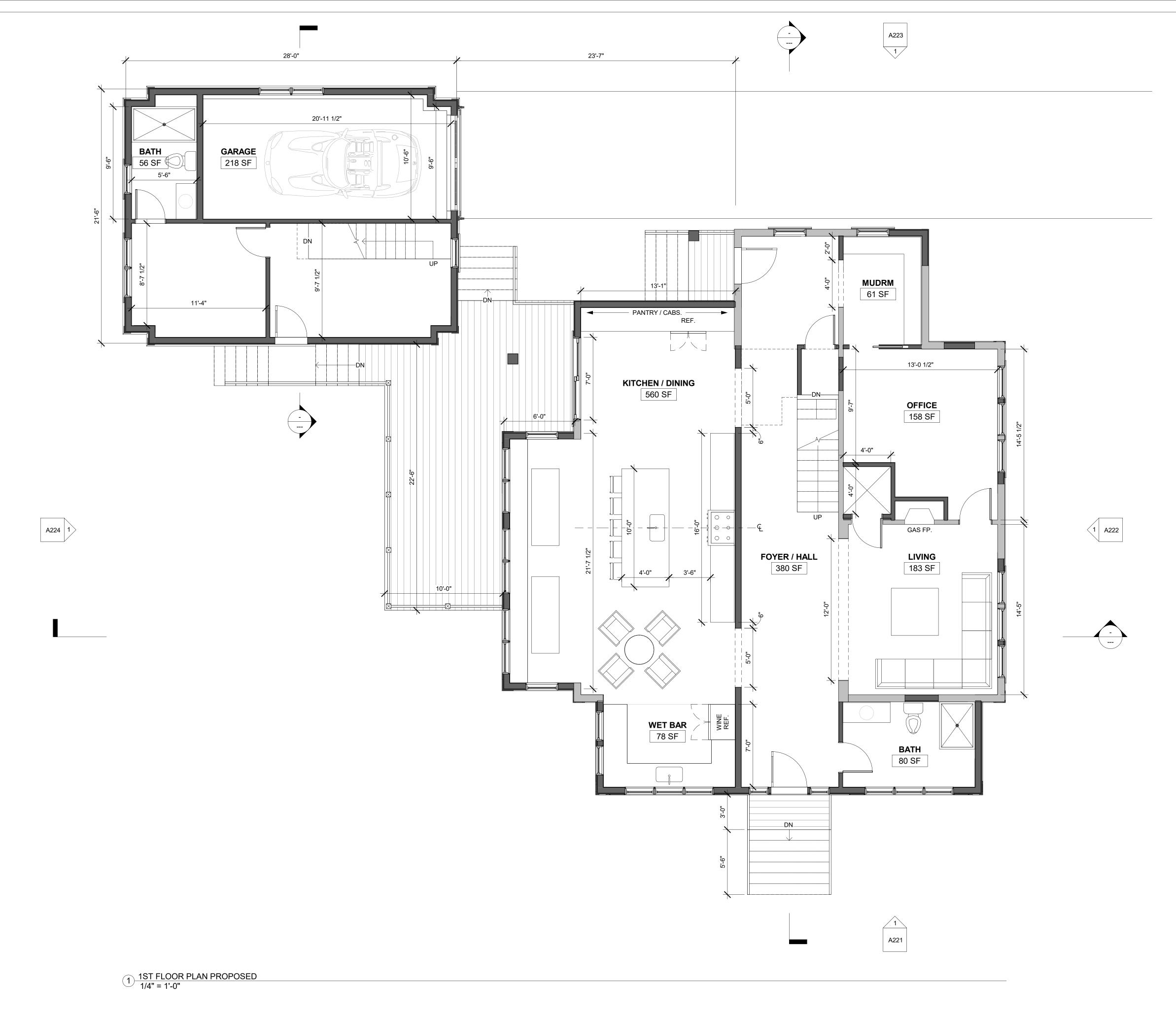
7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIP	TION: BASEMEN	T PLAN PROPOSED	
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"SCHEMATIC SET"

01-09-2024

DATE:



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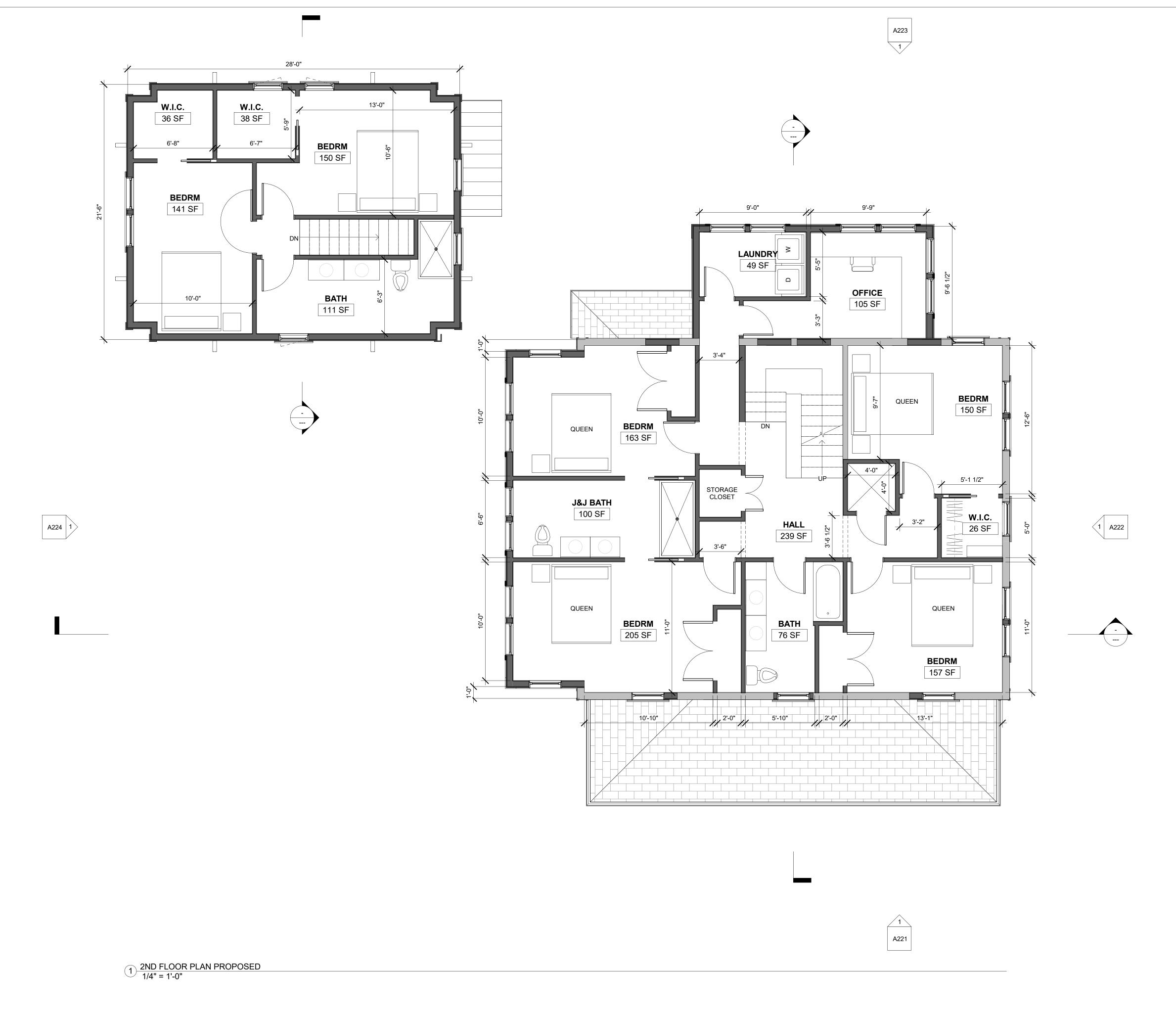
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7 CHAMPLIN STREET - NEWPORT, RI 02840

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DATE: 01-09-2024 "SCHEMATIC SET"



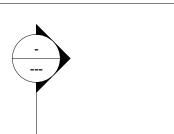


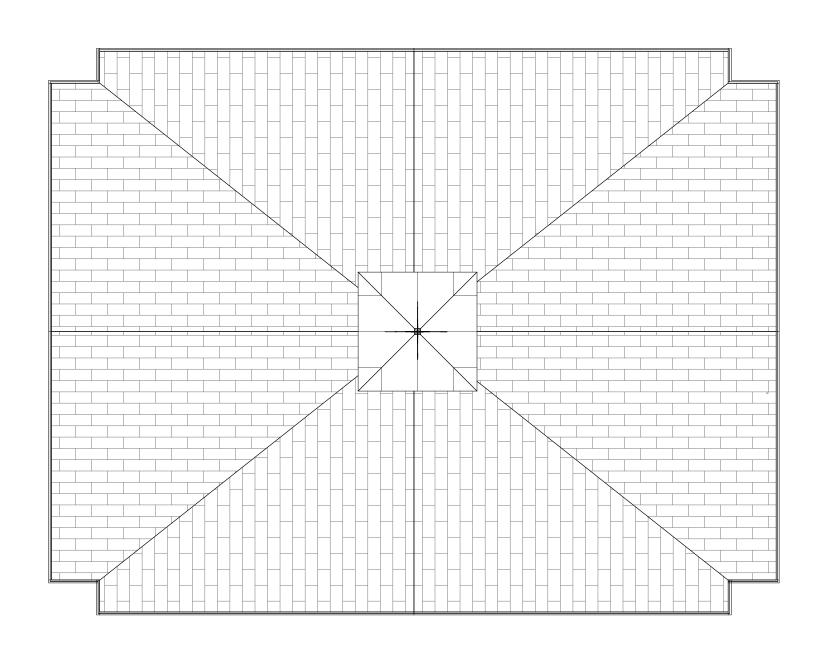
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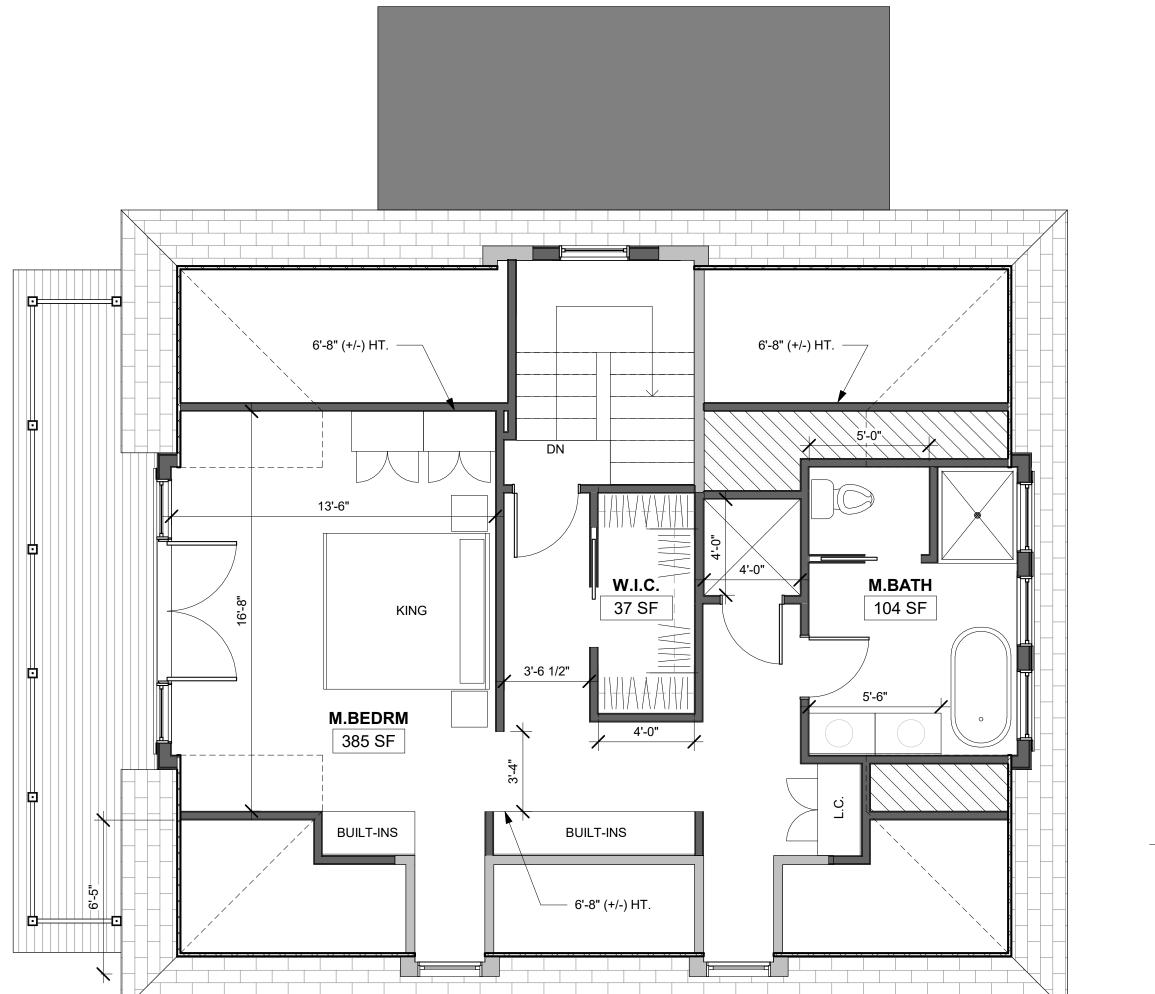
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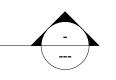
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A221

1 3RD FLOOR PLAN PROPOSEL 1/4" = 1'-0"



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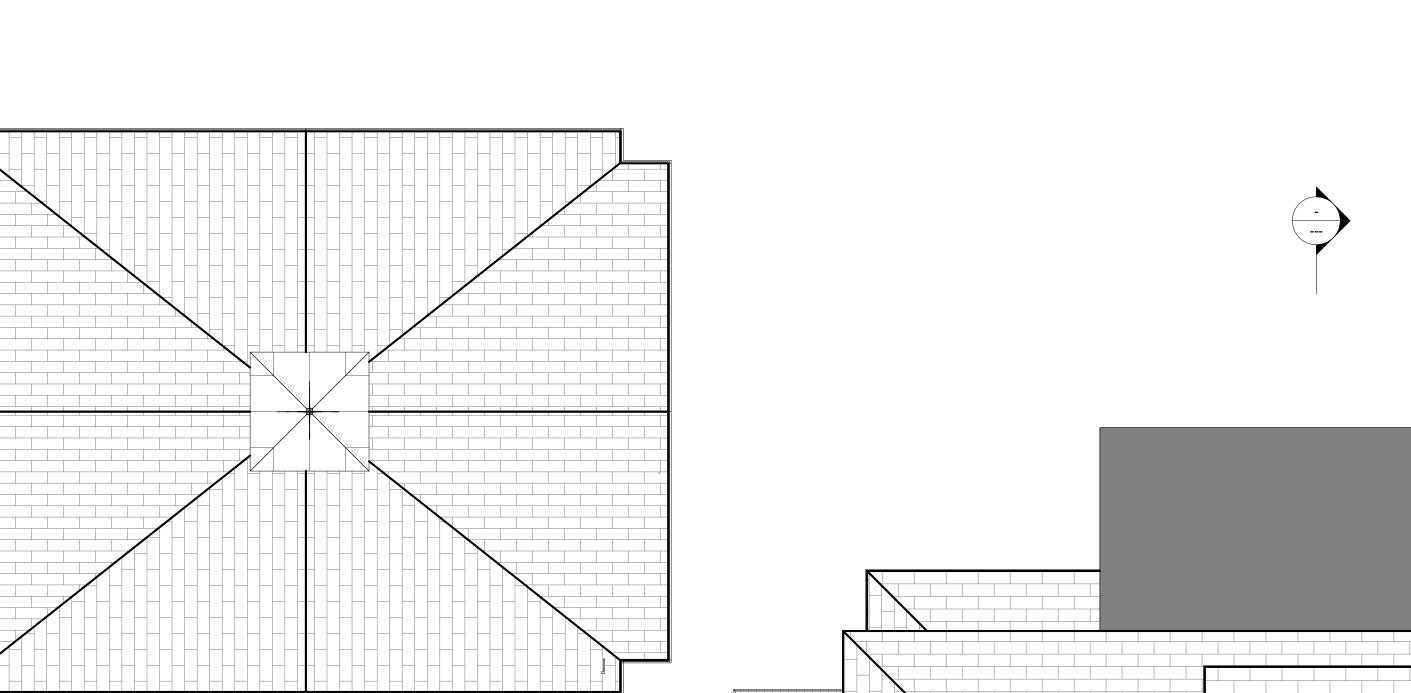
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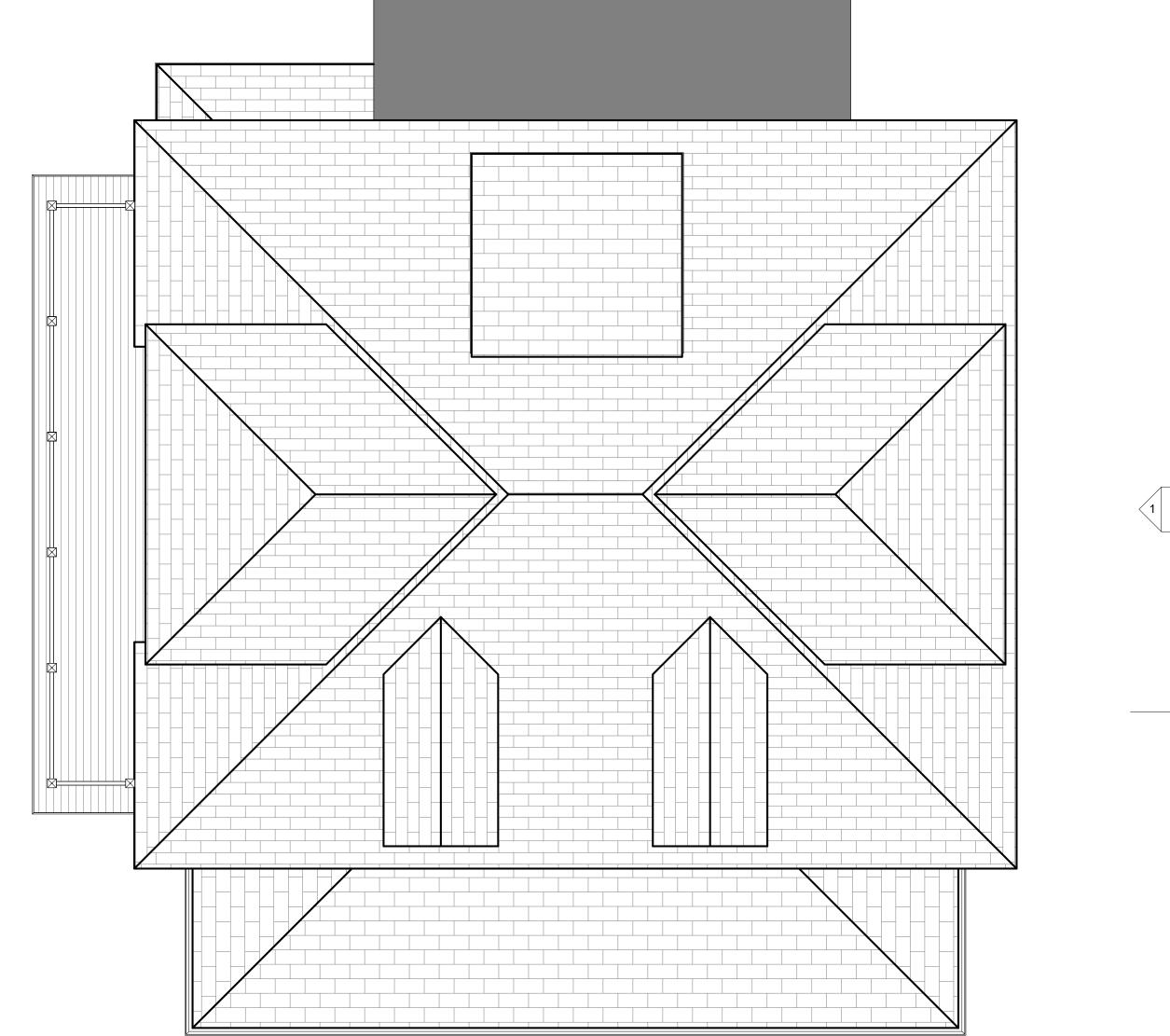
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DATE:	01-09-2024	"SCHEMATIC SET"	





A221

2 ROOF PLAN PROPOSED 1/4" = 1'-0"

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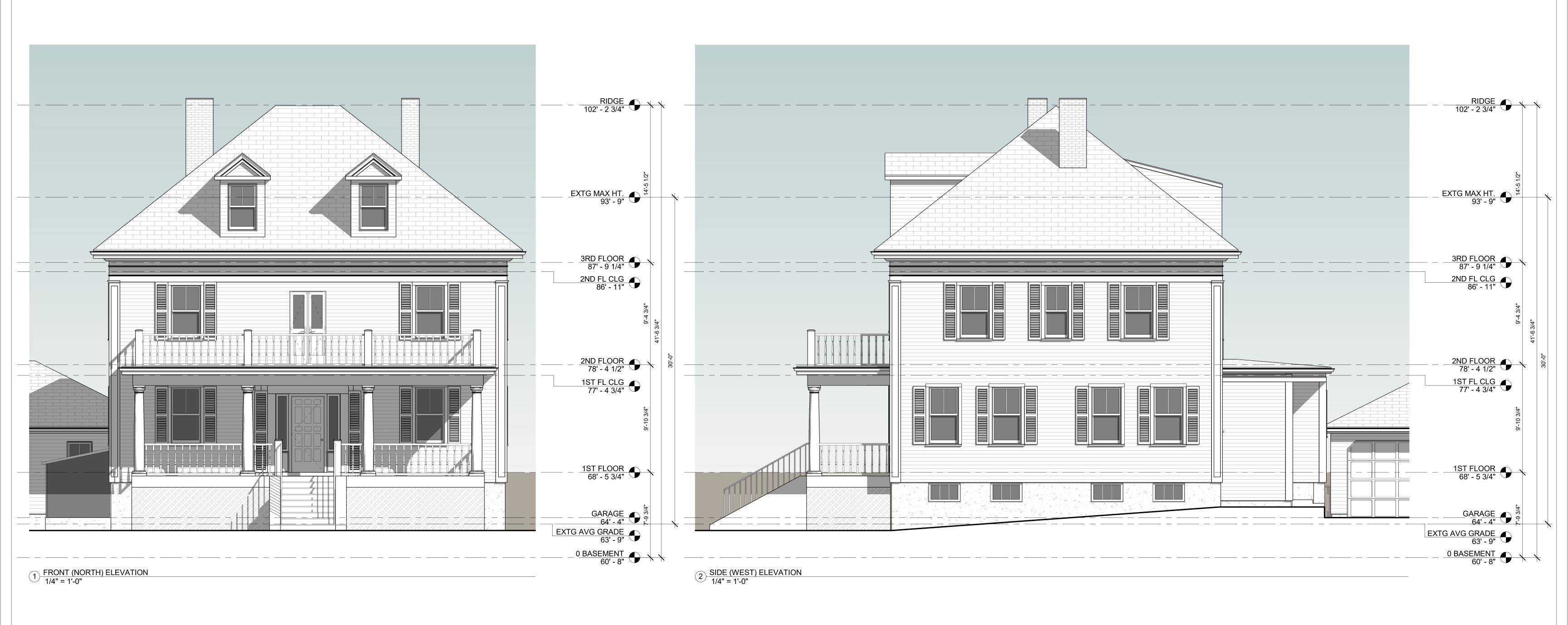
RENOVATION

7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIPTION:	ROOF PLAN PROPOSED

SCALE: 1/4" = 1'-0" PAPER: 24"x36"

DATE: 01-09-2024 "SCHEMATIC SET"





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RENOVATION

7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIPTION:	EXTERIOR ELEVATIONS EXISTING

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	SCALE:	1/4" = 1'-0"	PAPER: 24"x36"
	DATE:	01-09-2024	"SCHEMATIC SET"



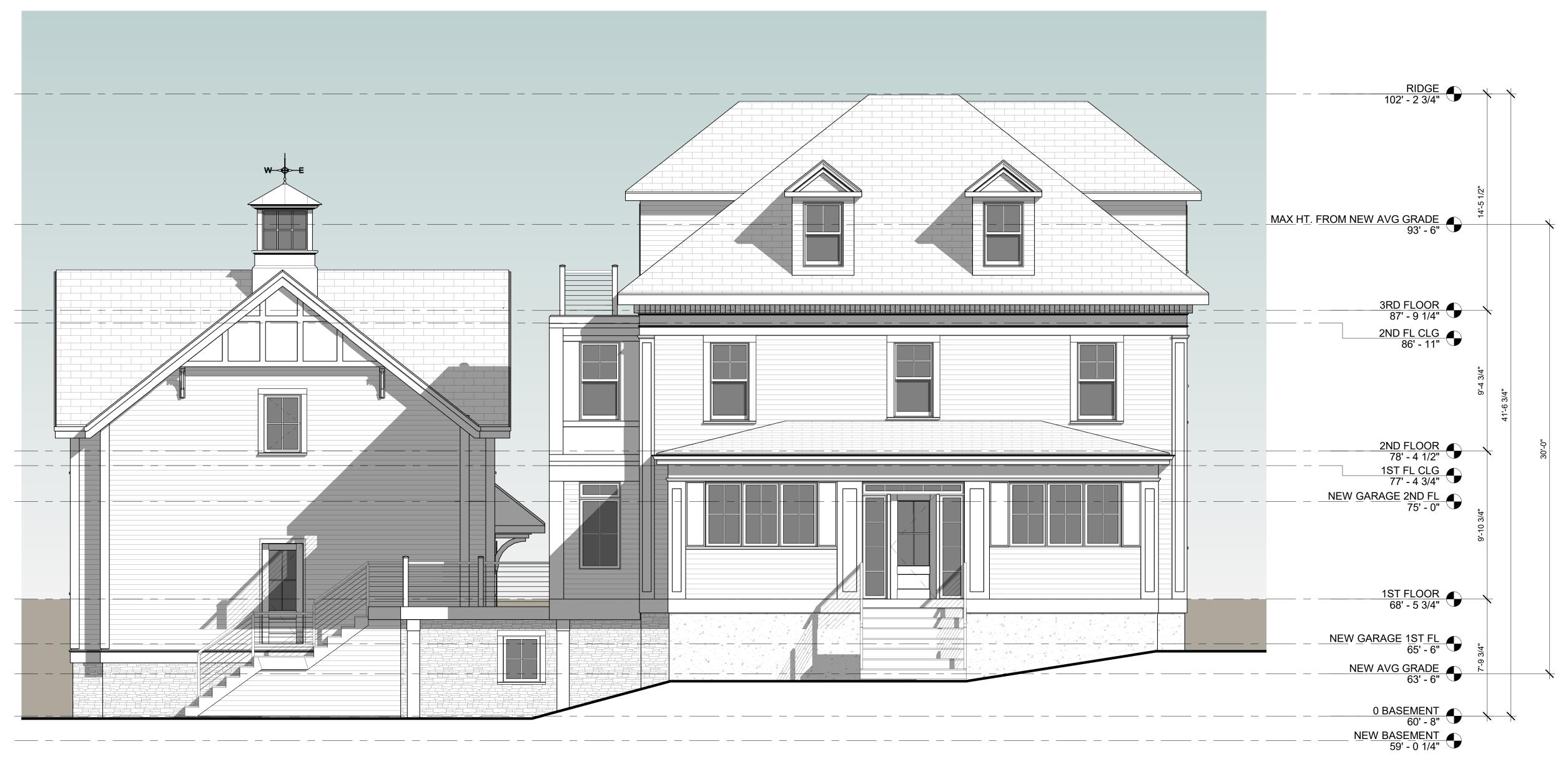


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RENOVATION

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SCALE:	1/4" = 1'-0"	PAPER: 24"x36"
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1) FRONT (NORTH) ELEVATION PROPOSED 1/4" = 1'-0"



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7 CHAMPLIN STREET - NEWPORT, RI 02840

	DESCRIP	TION: FRONT (N	ORTH) ELEVATION PROPOSED	
_	SCALE:	1/4" = 1'-0"	PAPER: 24"x36"	
	DATE:	01-09-2024	"SCHEMATIC SET"	



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RENOVATION

7 CHAMPLIN STREET - NEWPORT, RI 02840

	DESCRIP	TION: SIDE (WEST) ELEVATION PROPOSED)	
_	SCALE:	1/4" = 1'-0"	PAPER: 24"x36"		

"SCHEMATIC SET"

01-09-2024

DATE:



1) REAR (SOUTH) ELEVATION PROPOSED 1/4" = 1'-0"



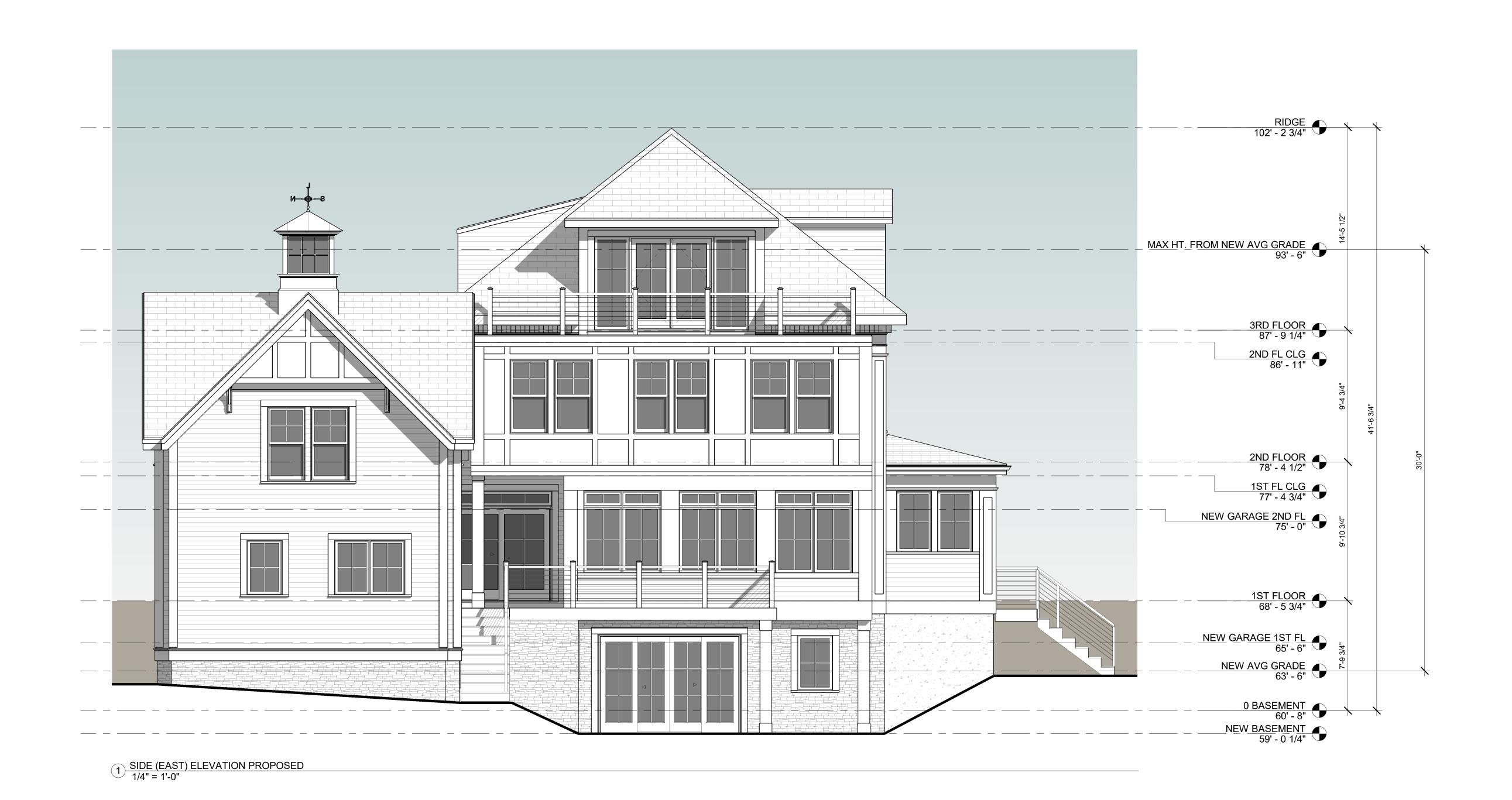
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7 CHAMPLIN STREET - NEWPORT, RI 02840

DESCRIP	TION: REAR (SO	UTH) ELEVATION PROPOSED
SCALE:	1/4" = 1'-0"	PAPER: 24"x36"
DATE:	01-09-2024	"SCHEMATIC SET"



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DESCRIPTION: SIDE (EAST) ELEVATION PROPOSED			
SCALE:	1/4" = 1'-0"	PAPER: 24"x36"	
DATE:	01-09-2024	"SCHEMATIC SET"	

Newport

(Summary Data - may not be Complete Representation of Property)

Parcel: 23-110 Location: 7 CHAMPLIN ST Owner: 7 CHAMPLIN STREET REALTY LLC

Account: 4196 User Acct: R04413 LUC: 01 - Single Fam Zoning: R10A

Parcel Values

Total: \$839,500 Land: \$447,000 Land Area: 9,948 SF Building: \$392,500 Assessed: \$839,500

Sales Information

Book and Page Instrument Type Price Date Grantor 01/09/2023 3127-314 Executor \$0 HARVEY VERNON A HEIRS OF

1,050 SF

OBIT 07/04/2022 \$0 HARVEY VERNON A

Year Built: 1920 Grade:B Condition: AV Building Type: Colonial Heat Fuel: Oil Heat Type: Hot Water % Air Conditioned: 0.00 Fireplaces: 4 Exterior Wall: Vinyl Siding Bsmnt Garage: 0 Roof Cover: Slate # of Units: 1

Full Bath: 2 **1/2 Baths:** 0 # of Rooms: 10 # of Bedrooms: 4

Yard Item(s)

Description Quantity Condition Value Size Year Quality GARAGE-AVE 1 575 2001 FR \$8,600.00 Average GAZEBO-FAIR FR 144 2017 Average \$3,400.00

Building Areas

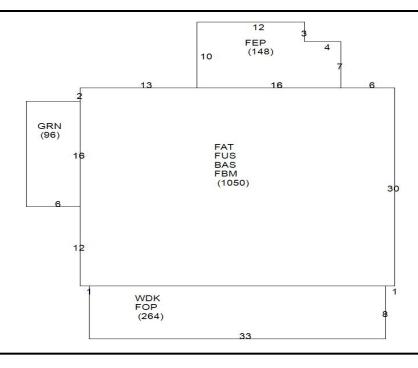
Upper Story, Finished

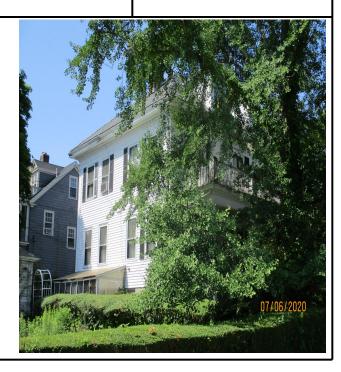
Area Net Area **Finished Area** Attic, Finished 210 SF 210 SF Basement, Finished 1,050 SF 1,050 SF Deck, Wood 264 SF 0 SF First Floor 1,050 SF 1,050 SF Greenhouse 96 SF 0 SF Porch, Enclosed, Finished 148 SF 0 SF

Porch, Open, Finished 264 SF 0 SF

1,050 SF

Disclaimer: This information is for tax assessing purposes and is not warranted





City of Newport, RI January 11, 2024

