

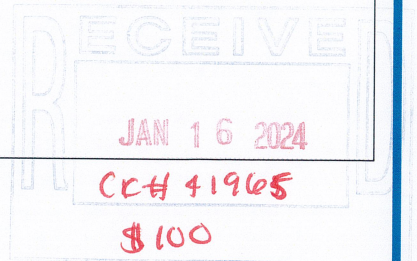


Newport Zoning Application

ZBR 2024 - Feb - 013

(This box for staff use only)

DATE STAMP HERE



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: 21 Catherine Street

Tax Assessor's Plat: 25 Lot: 066 Zoning District: R-10

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

☐ Special Use Permit (New Use) ☐ Use Variance ☐ Modification

Property Owner: Codys Investments, LLC

Mailing Address: 21 Catherine Street, Newport, RI 02840

Email Address: _____

Phone Number: _____

How long have you been the owner of the above premise? 2 Months (10/12/2023)

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: _____



Newport Zoning Application

Property Characteristics

Dimensions of lot-frontage: N=101.47, E=98.75 ft. Lot Area: 10,120 sq. ft.

Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings: 2,714 sq. ft.

Total square footage of the footprint of proposed buildings: 2,643 sq. ft.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	10,120	10,000	10,120
Coverage Area (sq. ft)	2,714	2,000	2,643
Lot Coverage (%)	26.8	20	26.1
Dwelling Units	1	1	1
Parking (# of spaces)	2+	1	2+
Front Setback (ft.)	N=4.2', E=32.6'	15'	N=4.2', E=32.6'
Side Setbacks (ft.)	W=20.2', S=1.8'	10'	W=10.3, S=1.8'
Rear Setback (ft.)	N/A	20'	N/A
Height (ft.)	30' +/-	30'	30' +/-



Newport Zoning Application

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 17.20.050 (R-10 Lot Coverage Requirements)

The Applicant is in the process of a full rehabilitation, restoration and modernization of the Subject Property. As part of those improvements, the Applicant proposes to significantly reduce the size of an existing first floor deck, alter the rear entrance and construct a small splash pool in the back yard. All of the exterior alterations have been approved by the Historic District Commission.

The existing parcel is a conforming lot of record containing 10,120 square feet of land. The property is in the R-10 Zone and in the Historic District. The existing house, garage and improvements exceed lot coverage at 26.8%. The existing front stairs encroach into the north front setback and the garage encroaches into the south side setback. As a result of the existing non-conforming conditions, modifications require zoning relief. After the reduction of the existing deck and the creation of the pool, resulting lot coverage will be 26.1%, below existing conditions. The proposed pool will meet all setback requirements and none of the existing encroachments will be intensified. No building height relief is required. 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-10 Zone.



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)

The existing parcel is a conforming lot of record containing 10,120 square feet of land. The existing structures already exceed lot coverage and encroach into setbacks. As a result of the existing conditions and circumstances that are peculiar to this non-conforming development, the proposed improvements will result in alterations to the existing non-conformities.

The subject property is located on the corner of Catherine Street and Fir Street. The neighborhood is fully developed with a number of other abutting parcels with minor existing dimensional nonconformities. Other properties also exceed lot coverage 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-10 Zone. The proposal will not increase the non-conforming lot coverage and will simply trade the square footage of an existing deck for the proposed plunge pool. Lot coverage will remain at or below 26.8%. The pool will meet all setbacks. None of the setback encroachments will be intensified.

The Applicant has taken great care to develop a proposed overall improvement plan which rehabilitates the property, provides additional outdoor living space and meets the approval of the Historic District Commission. The overall plan, including a small plunge pool, is appropriate in scope, scale and size for this property. The hardship and non-conforming features of this property relate to the existing lot coverage and setback encroachments. 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-10 Zoning District.



Newport Zoning Application

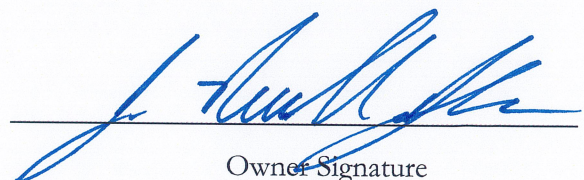
Upon submittal of this application, please make sure you have also reviewed our Zoning Application Submittal Requirements packet, and included with your application, a copy of the Submittal Checklist which can also be found here: [Zoning Application Submittal Requirements](#). If an application is missing 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.


Applicant Signature

January 12, 2024

Date


Owner Signature

Attorney for Applicant/Owner

Date



Newport Zoning Application Submittal Requirements

ZBR 2024 - Feb - 013

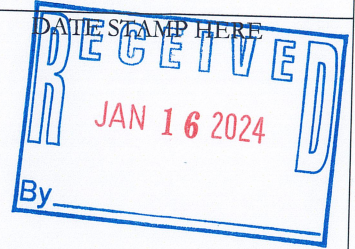
☒ Special Use Permit (new)

☒ Variance

☐ Special Use Permit (modification)

☐ Modification

(This box for staff use only)



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. <input checked="" type="checkbox"/> Class I Site Survey | E. <input type="checkbox"/> Stormwater Management Plan |
| B. <input checked="" type="checkbox"/> Proposed Site Plan | F. <input type="checkbox"/> Landscape Plan |
| C. <input checked="" type="checkbox"/> Lot Coverage Diagram | G. <input checked="" type="checkbox"/> Building Elevations |
| D. <input checked="" type="checkbox"/> Floor Plans | H. <input type="checkbox"/> Change of Use |

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

- | | |
|---|---|
| A. <input checked="" type="checkbox"/> Site Photographs | D. <input type="checkbox"/> Parking Survey |
| B. <input type="checkbox"/> Photo Simulations | E. <input type="checkbox"/> Traffic Impact Analysis |
| C. <input type="checkbox"/> Structural Evaluation | |

DEED RESEARCH & PLAN REFERENCE			
NO.	PLAN	LOT	BOOK PAGE
1	25	66	45
2	25	67	45
3	25	68	45
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MARCELLO BUILDING CO.

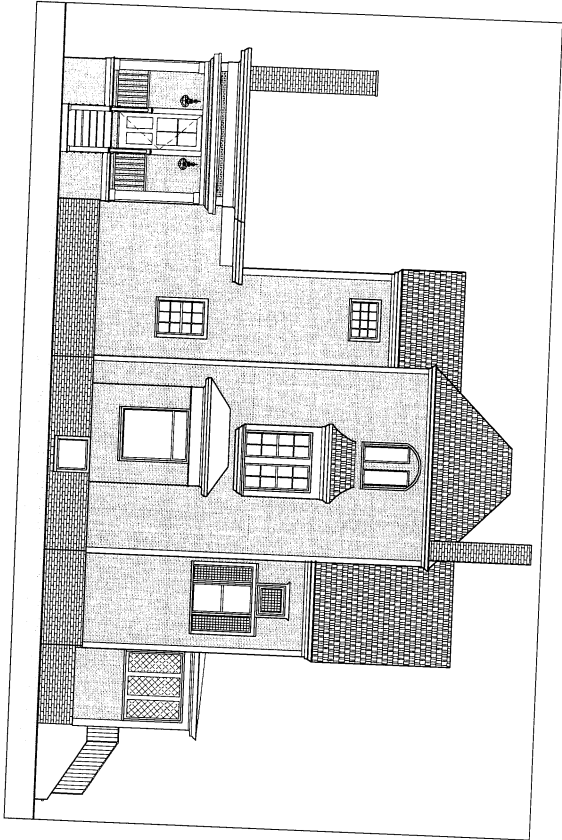
NEWPORT, RI

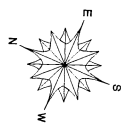
JANUARY 2024

HISTORIC DISTRICT SUBMISSION #2

LIST OF DRAWINGS

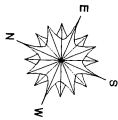
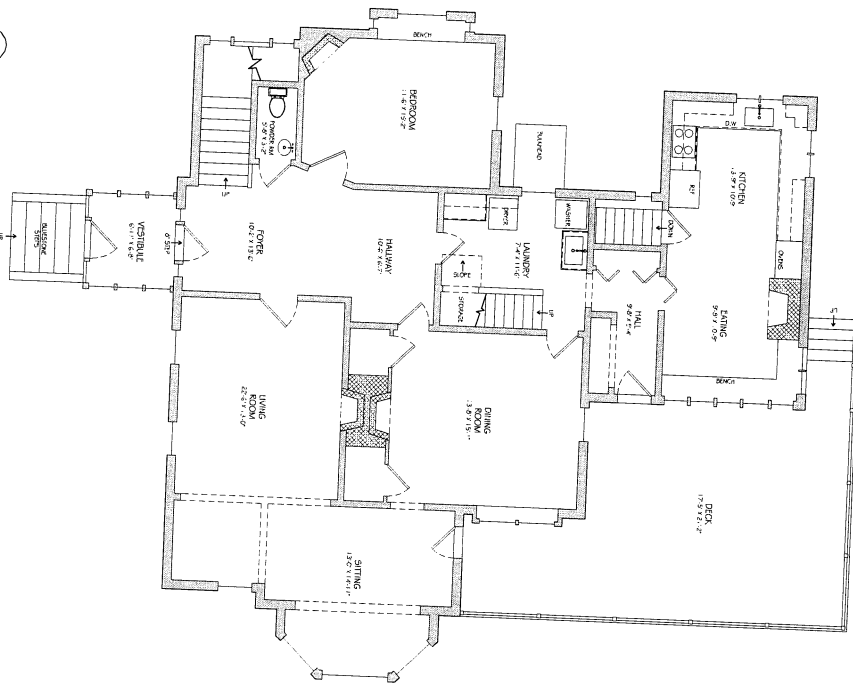
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T - 1	TITLE AND INDEX SHEET
A - 1	EXISTING AND PROPOSED FIRST FLOOR PLANS
A - 2	EXISTING AND PROPOSED SECOND FLOOR PLANS
A - 3	EXISTING AND PROPOSED THIRD FLOOR PLANS
A - 4	EXISTING AND PROPOSED NORTH ELEVATIONS (CATHERINE STREET)
A - 5	EXISTING AND PROPOSED EAST ELEVATIONS (FIR STREET)
A - 6	EXISTING AND PROPOSED SOUTH ELEVATIONS (REAR)
A - 7	EXISTING AND PROPOSED WEST ELEVATIONS





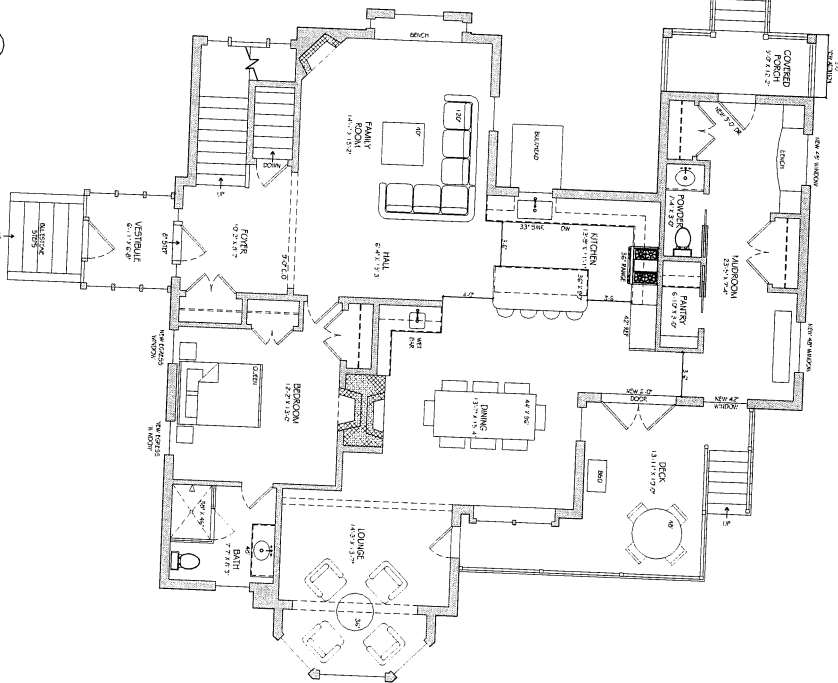
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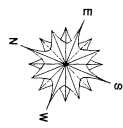
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1

PROPOSED FIRST FLOOR PLAN
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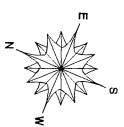
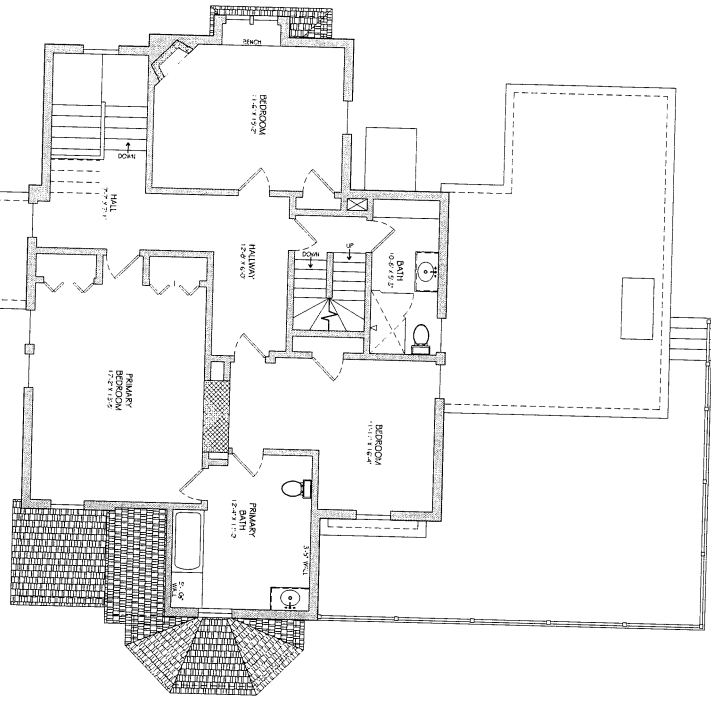




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EXISTING SECOND FLOOR PLAN

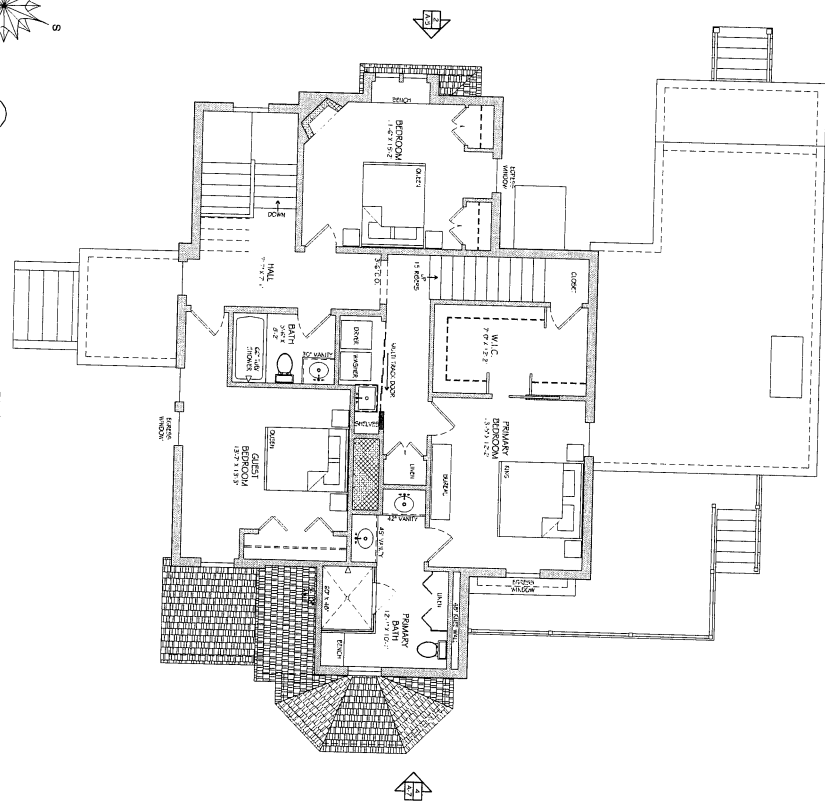
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2

PROPOSED SECOND FLOOR PLAN

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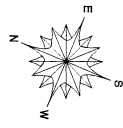


MARCELLO BUILDING COMPANY
21 CATHERINE STREET, NEWPORT, RI

A-2

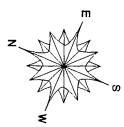
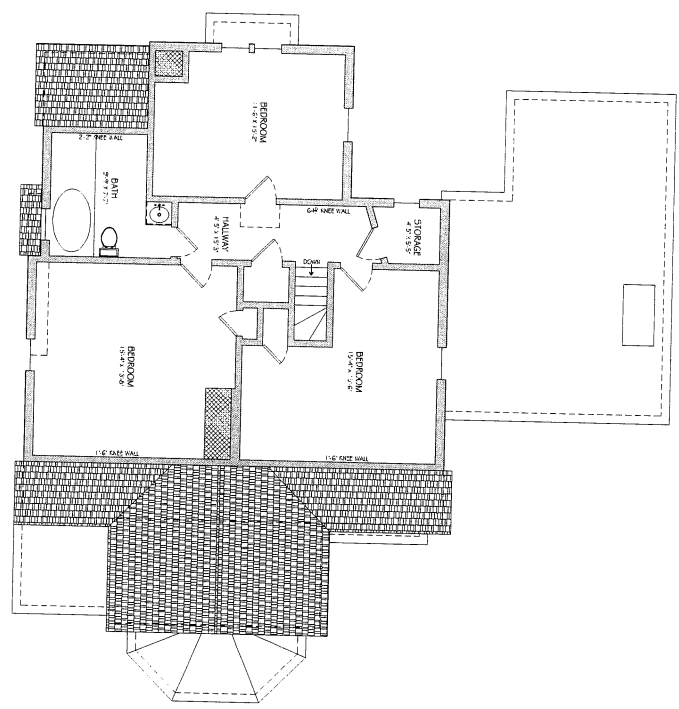
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2	ISSUED FOR CONSTRUCTION	10-1-2020

DATE: 10-1-2020



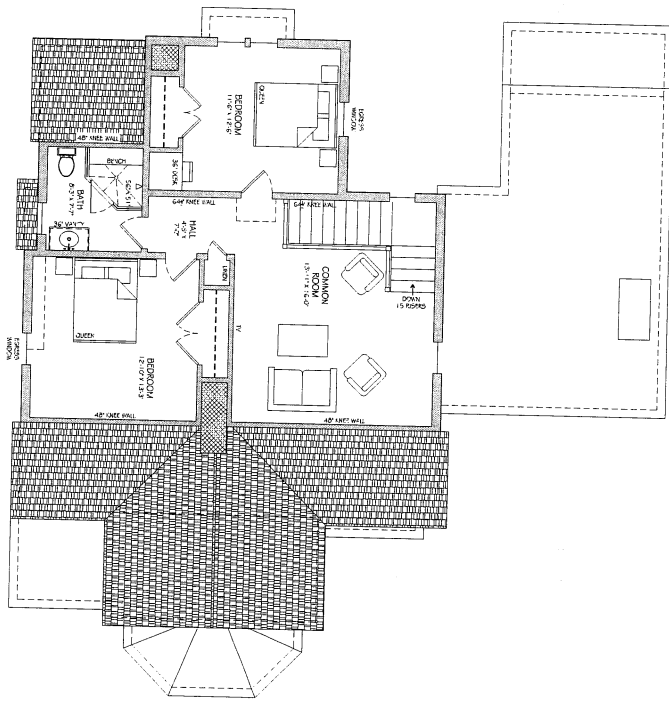
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EXISTING THIRD FLOOR PLAN



3

PROPOSED THIRD FLOOR PLAN

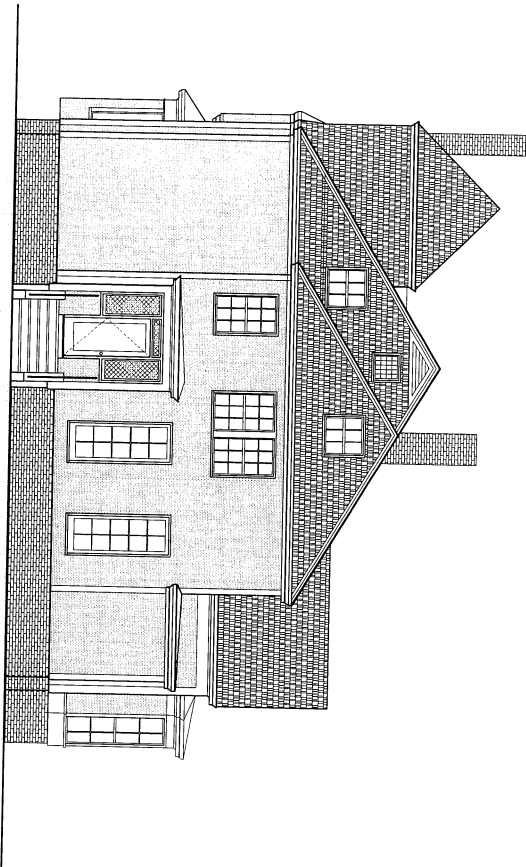


MARCELLO BUILDING COMPANY
21 CATHERINE STREET, NEWPORT, RI

A-3

SHEET NO.	DATE	SCALE	TYPING	DRAWING BY	CHECK BY	DATE	TITLE	DWG. CONTENTS

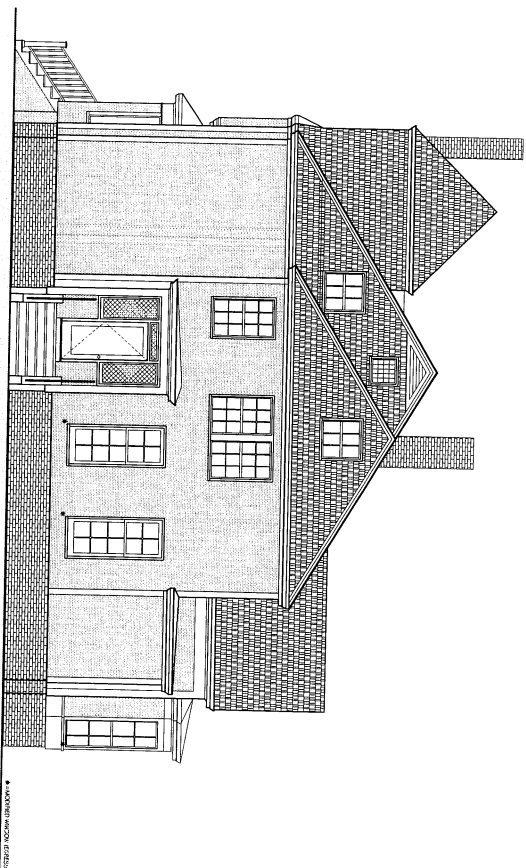
CONTRACT



1

EXISTING NORTH ELEVATION

SCALE 1/8" = 1'-0"



1

PROPOSED NORTH ELEVATION

SCALE 1/8" = 1'-0"

* MODIFIED WINDOW ELEVATION

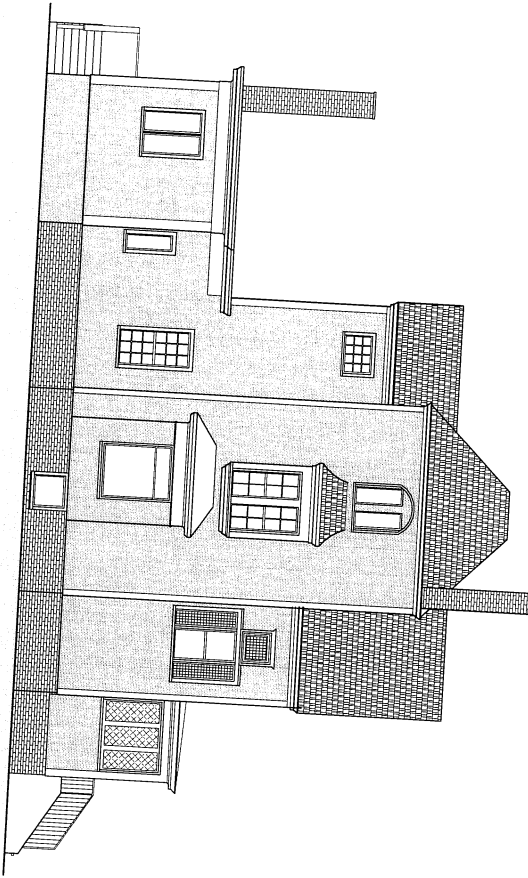
MARCELLO BUILDING COMPANY
21 CATHERINE STREET, NEWPORT, RI

ELEVATION AND DIMENSIONS WITH RELATIONS TO CATHERINE STREET.

DATE: 1-19-2020
DRAWN BY: J. MARINO
CHECKED BY: J. MARINO
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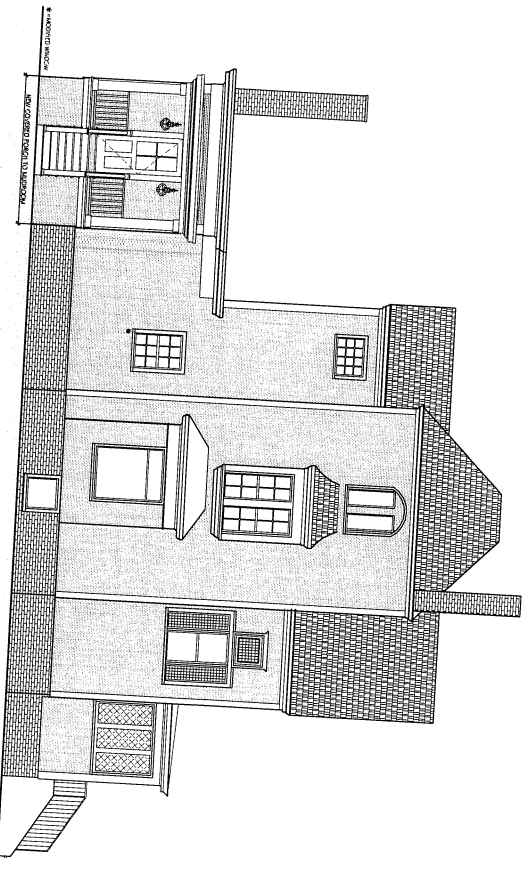
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SHEET NO.



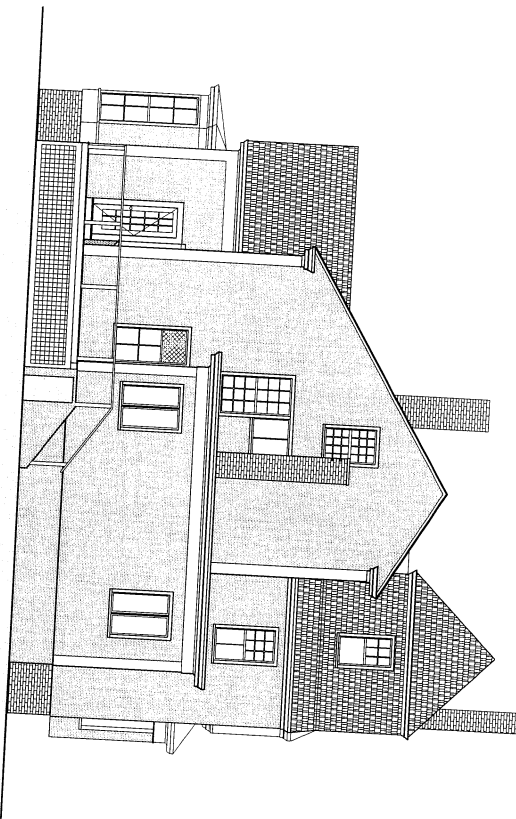
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EXISTING EAST ELEVATION
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2

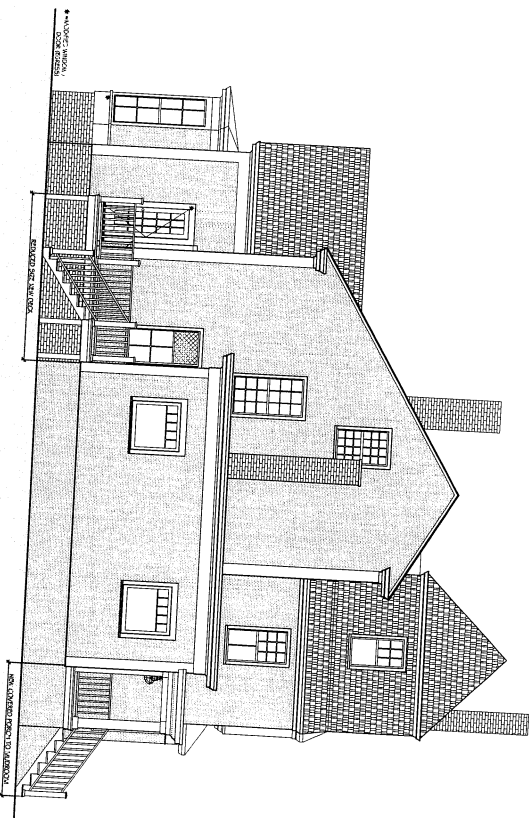
PROPOSED EAST ELEVATION
SCALE: 1/8" = 1'-0"



3

EXISTING SOUTH ELEVATION

Scale 1/8" = 1'-0"



3

PROPOSED SOUTH ELEVATION

Scale 1/8" = 1'-0"



4

EXISTING WEST ELEVATION

SCALE: 1/8" = 1'-0"



4

PROPOSED WEST ELEVATION

SCALE: 1/8" = 1'-0"



Newport

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

Parcel: 25-066
Account: 4611

Location: 21 CATHERINE ST
User Acct: R04887

Owner: CODYS INVESTMENTS LLC
LUC: 01 - Single Fam
Zoning: R10

Parcel Values

Total: \$1,119,100 **Land:** \$399,400 **Land Area:** 10,286 SF **Building:** \$719,700 **Assessed:** \$1,119,100

Sales Information

Book and Page	Instrument Type	Date	Price	Grantor
3167-105	Warranty	10/12/2023	\$1,525,000	COOPER ROBERT J &
680-45		04/24/1995	\$0	

Building Type: Historical	Year Built: 1849	Grade: B+	Condition: GD
Heat Fuel: Oil	Heat Type: Forced Air-D	% Air Conditioned: 0.00	Fireplaces: 4
Exterior Wall: Stucco/Mason	Bsmnt Garage: 0	Roof Cover: Asph/F Gls/C	# of Units: 1
# of Rooms: 10	# of Bedrooms: 6	Full Bath: 3	1/2 Baths: 1

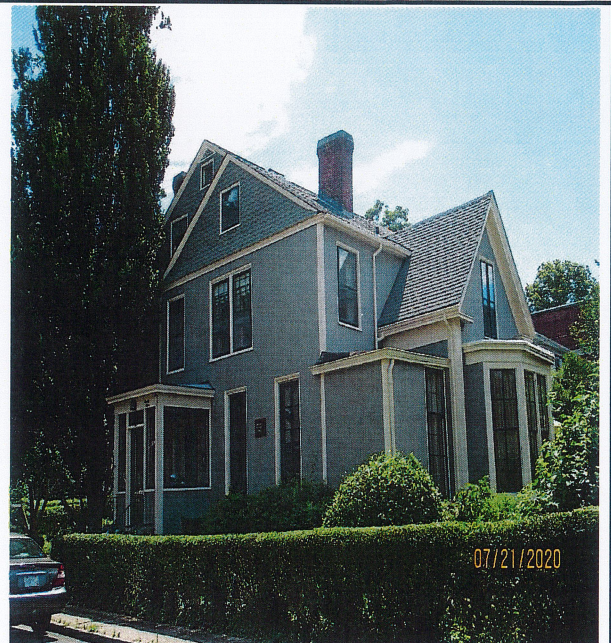
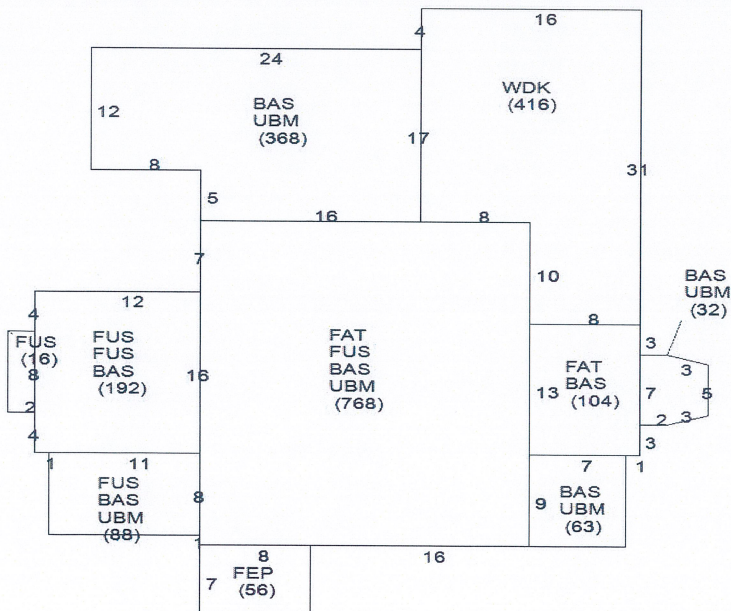
Yard Item(s)

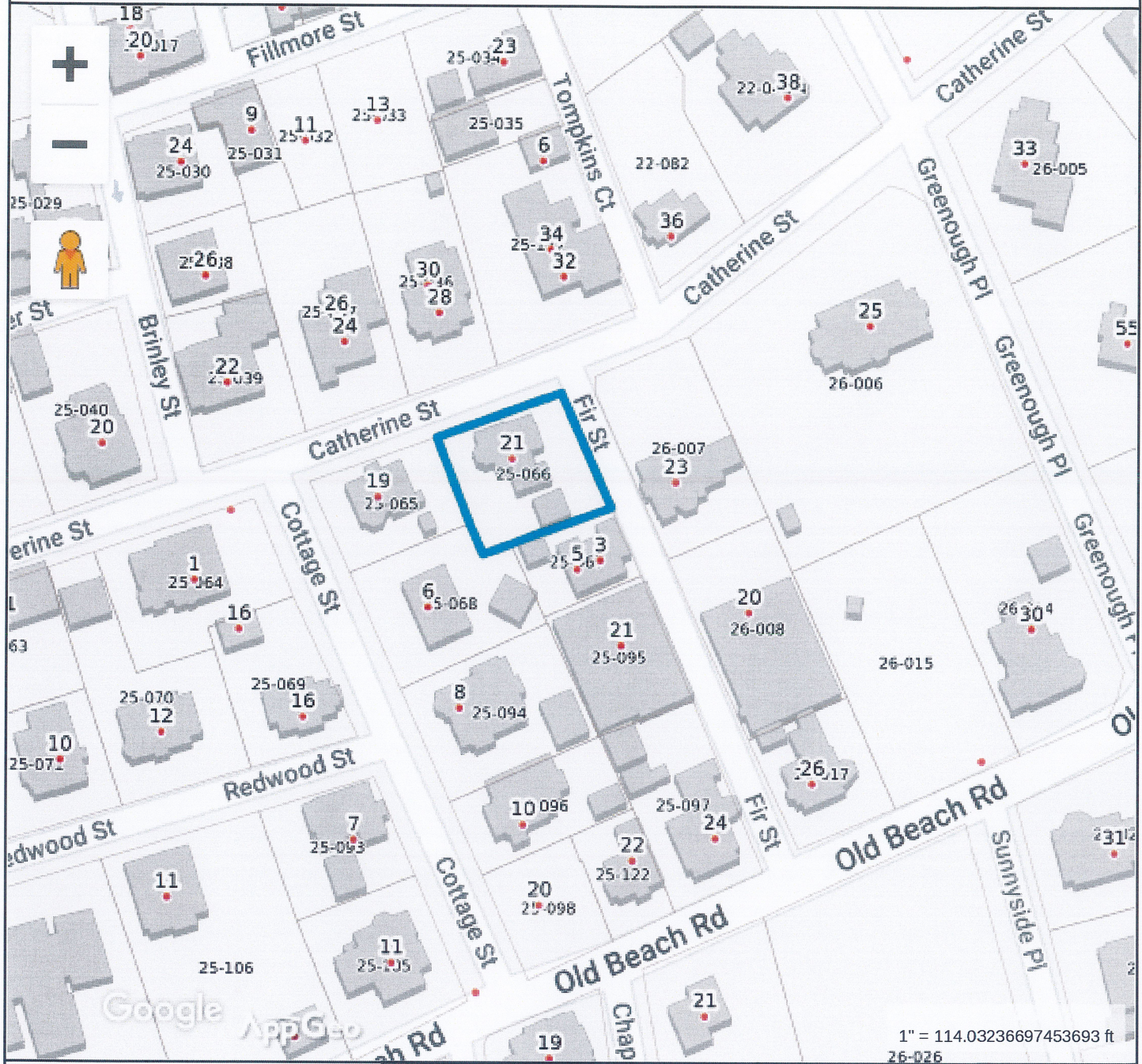
Description	Quantity	Size	Year	Condition	Quality	Value
GARAGE-GOOD	1	324	2001	AV	Average	\$7,100.00

Building Areas

Area	Net Area	Finished Area
Attic, Finished	174.4 SF	174.4 SF
Basement, Unfinished	1,319 SF	0 SF
Deck, Wood	416 SF	0 SF
First Floor	1,615 SF	1,615 SF
Porch, Enclosed, Finished	56 SF	0 SF
Upper Story, Finished	1,256 SF	1,256 SF

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





Property Information

ID	25-066
Location	21 CATHERINE ST
Owner	



MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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Critical layout or measurement
activities should not be done using
this resource.