

APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI ZONING BOARD OF REVIEW

DATE: November 13 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: 515 Ocean Ave Newport RI 02840

Tax Assessor's Plat 44 Lot 123

Petitioner Information

Applicant Tammy Brown Address 515 Ocean Ave Newport RI 02840

Owner Tammy Brown Address 515 Ocean Ave Newport RI 02840

Lessee N/A Address N/A

Property Characteristics

Dimensions of lot-frontage 175.46' depth 284.71' area 48,725 sq. ft.

Zoning District in which premises is located R-40 A

How long have you owned above premises? 2008

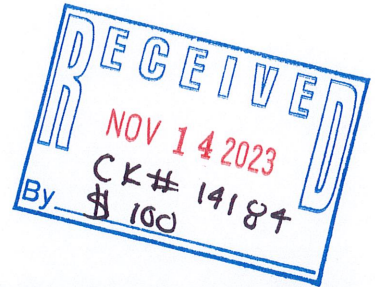
Are there buildings on the premises at present? Yes

Total square footage of the footprint of existing buildings 4,204.5 sq. ft.

Total square footage of the footprint of proposed buildings 4,204.5 sq. ft.

Present use of premises Single Family Home

Proposed use of premises Single Family Home



ZBA

2024-JAN-001

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

Give extent of proposed alterations

Add a second floor over the existing single story office. This second floor addition will not change the existing house footprint. The existing setbacks will remain the same.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	7,308.75 sq. ft.	40,000 sq. ft.	7,308.75 sq. ft.
Lot Coverage (%)	13.46 %	15 %	13.46 %
Dwelling Units	1	1	1
Parking (# of spaces)	4	2	4
Front Setback	120'-0"	50'-0"	120'-0"
Side Setbacks	R: 21'-2" L: 38'-6"	40'-0"	R: 21'-2" L: 38'-6"
Rear Setback	71'-3"	20'-0"	71'-3"
Height	31'-10"	35'-0"	31'-10"

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?

In the R-40A zone the minimum lot width is 200'. This lot is only 175.46' (at Ocean Avenue), extending the existing house farther into the side yard setbacks than if the lot was 200' wide. The proposed second floor addition will not extend further into the existing side yard setback or change the house footprint as the addition is only being added over the existing first floor.

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 addition to the house will not change the existing lot coverage or setbacks. The addition is limited to adding a second floor addition over the existing first floor at the north end of the building. The existing footprint extends into the side yard setbacks, and therefore, the applicant is requesting a 18'-10" variance.

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

In order to accommodate a more functional interior layout that allows the applicants to age in place, an elevator from the first to the second floor is being proposed. This will allow the applicants to keep using the primary bedroom suite on the second floor. Originally, the applicants were looking to add a new primary bedroom suite on the first floor which would have changed the setbacks and increased lot coverage. By adding the second floor addition only, the variance meets the standard of being the least relief necessary as it is due to the location of the existing house. This addition will not alter the character of the home or the neighborhood.

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".

Tammy Brown
Applicant's Signature

(203) 984-1433
Telephone Number

Tammy Brown
Owner's Signature

(203) 984-1433
Telephone Number

Email address TBbrown3@aol.com

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

Mark and Tammy Brown
515 Ocean Ave
Newport, RI 02840

Newport Historic District Commission
Department of Zoning and Inspections
43 Broadway
Newport, Rhode Island, 02840

13 November, 2023

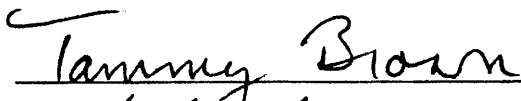

Re: 515 Ocean Ave, Newport RI

Dear Sir/Ms.

As I may not be able to be present at the HDC meetings, this letter authorizes JPS Construction and Design (Sue Horwitz and Hayley Wilkinson) to act as my agents at the meetings.

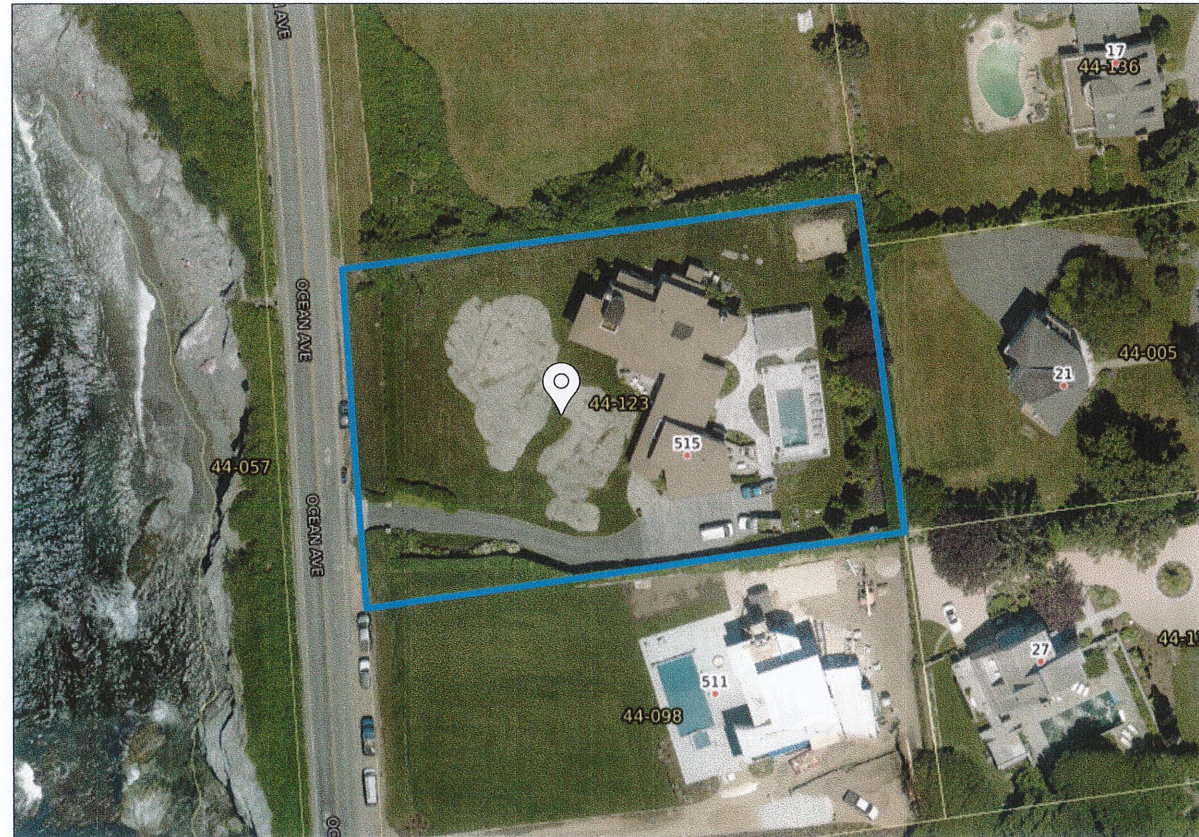
Thank you for your time.

Sincerely

BROWN RENOVATION

515 OCEAN AVE
NEWPORT, RI 02840



CONTACTS:

DESIGNER: JPS Construction and Design
88 Valley Road
Middletown, RI 02842

PHONE: 401-525-8264

EMAIL: wilkinson@jpsconstructiondesign.com

BUILDER:	JPS Construction and Design 88 Valley Road Middletown, RI 02842
PROJECT MANAGER:	Jamie Stebenne
PHONE:	401-619-1260
EMAIL:	jps@jpsconstructiondesign.com

PROJECT DESCRIPTION:

Add a second floor over the existing single story office and upgrade the front entry.

DRAWING INDEX:

GO GENERAL

	G0.0	TITLE SHEET
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L1 SITE

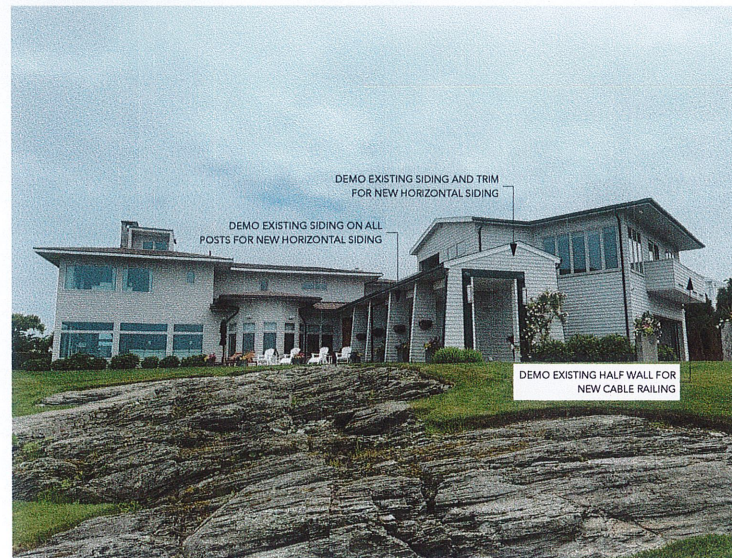
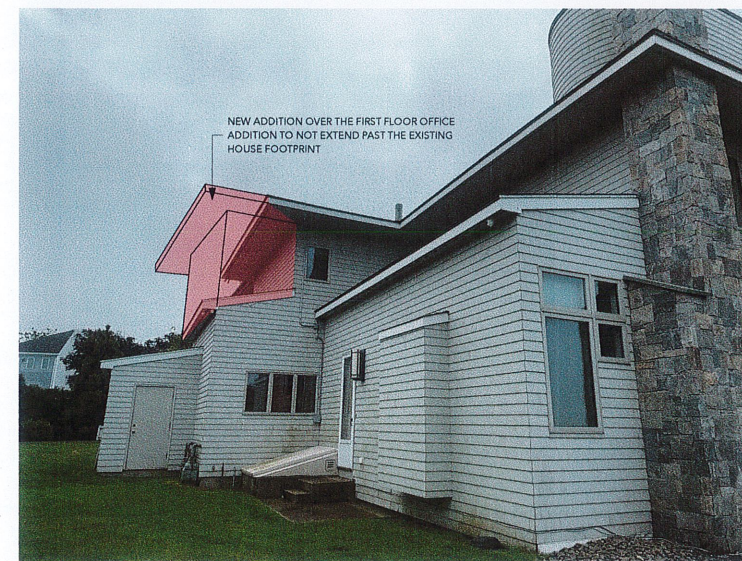
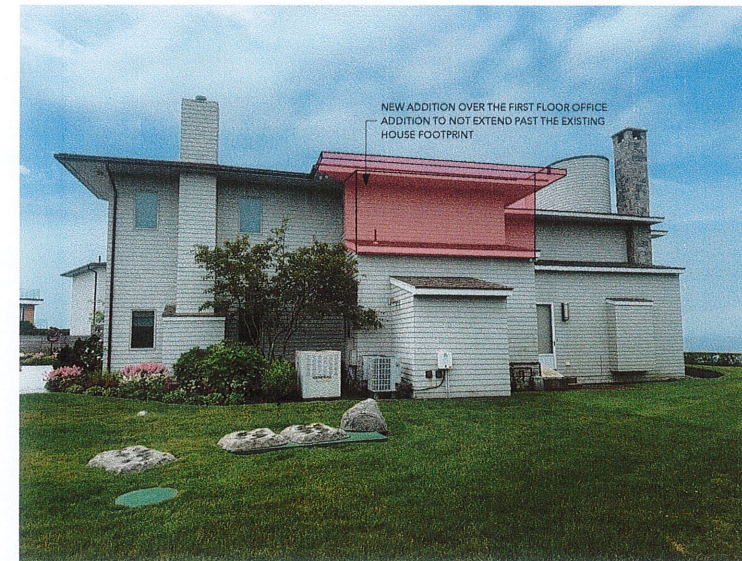
	L1.0	SITE PLAN
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A1 FLOOR PLANS

A1.0	DEMO FIRST FLOOR PLAN
A1.1	DEMO SECOND FLOOR PLAN
A1.2	PROPOSED FIRST FLOOR PLAN
A1.3	PROPOSED SECOND FLOOR PLAN

A2 ELEVATIONS

A2.0	EXISTING AND PROPOSED WEST ELEVATIONS
A2.1	EXISTING AND PROPOSED NORTH ELEVATIONS
A2.2	EXISTING AND PROPOSED EAST ELEVATIONS
A2.3	EXISTING AND PROPOSED SOUTH ELEVATIONS



DESIGN BY:

JPS
Construction and Design

88 Valley Road
Middletown, RI 02842

jps@jpsconstructiondesign.com
www.jpsconstdesign.com

PROJECT:

BROWN RENOVATION

515 OCEAN AVE NEWPORT, RI
02840

REVISIONS:

[illegible]

NOTES:

ISSUE:

11.13.2023
ZONING REVIEW

PROJECT PHASE:
ZONING APPLICATION

SHEET TITLE:
TITLE SHEET

DESIGNED BY:

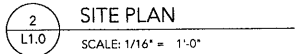
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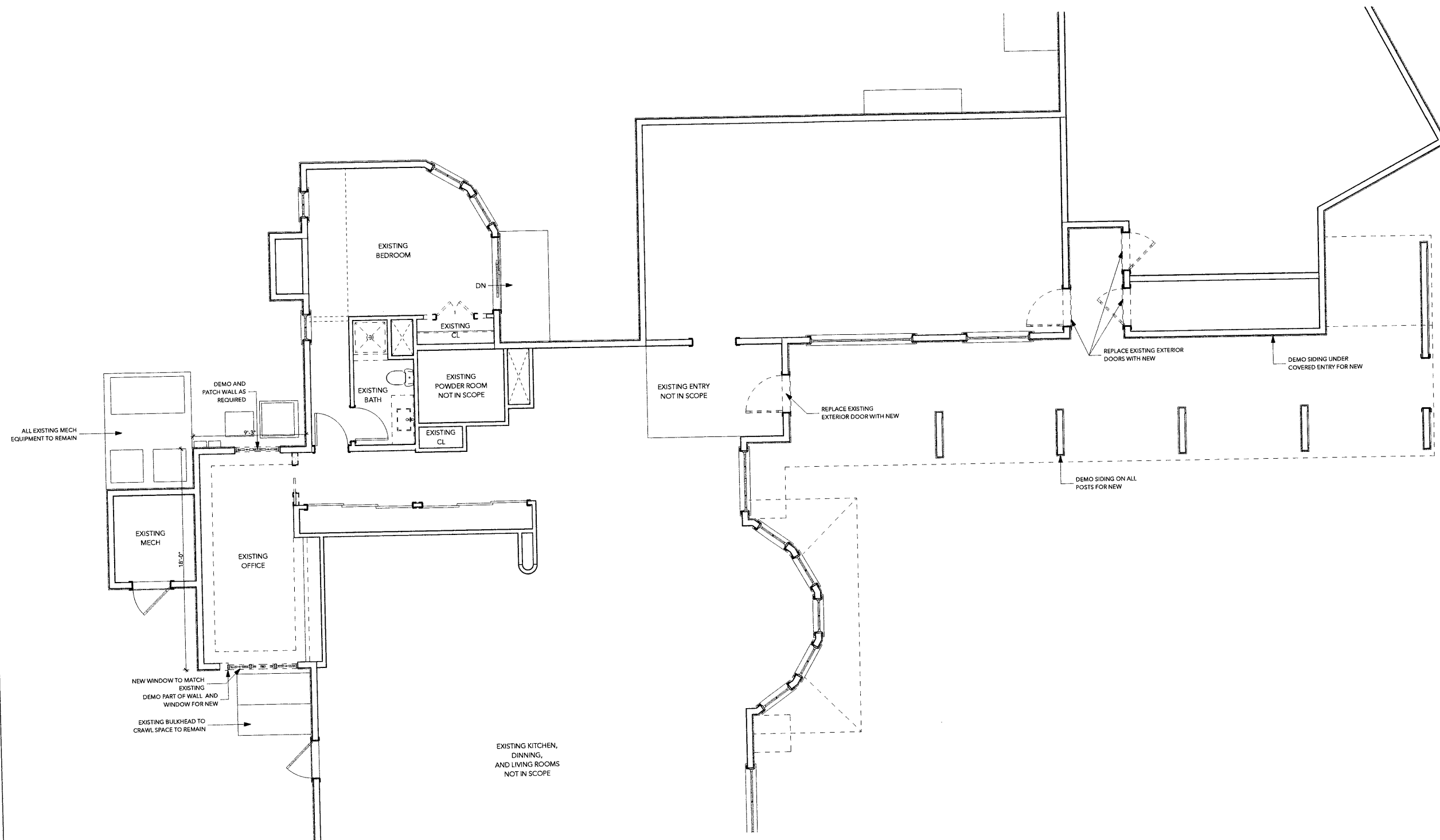
DESIGNED BY:	HIW
DRAWN BY:	HIW

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CHECKED BY:	SH
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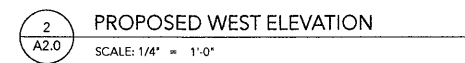
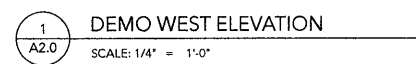
536

NOTES:



DESIGN BY:

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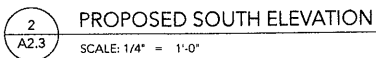
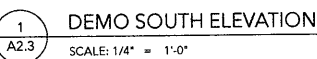
ISSUE:

11.13.2023
ZONING REVIEW

PROJECT PHASE:
ZONING APPLICATION

SHEET TITLE:
EXISTING AND PROPOSED WEST
ELEVATIONS

DESIGNED BY:	HIW	SHEET NUMBER: A2.0
DRAWN BY:	HIW	
CHECKED BY:	SH	
PROJECT NUMBER 23055.01		
		SHEET 7 OF 10



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