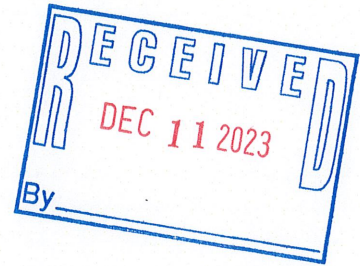


APPLICATION FOR DIMENSIONAL VARIANCE

CITY OF NEWPORT, RI
ZONING BOARD OF REVIEW

Amended Application



DATE: 12/11/2023

Board members:

2023 - Dec - 002

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: 0 Champlin Street

Tax Assessor's Plat 23 Lot 003

Petitioner Information

Applicant MEDEIROS, JANN RAY Address PO BOX 210, NEWPORT RI 02840

Owner MEDEIROS, JANN RAY Address PO BOX 210, NEWPORT RI 02840

Lessee _____ Address _____

Property Characteristics

Dimensions of lot-frontage 92.36' depth 100.06' area 9,296 sq. ft.

Zoning District in which premises is located R10A

How long have you owned above premises? 1 year

Are there buildings on the premises at present? Yes. A 2 car garage.

Total square footage of the footprint of existing buildings 483 sq. ft

Total square footage of the footprint of proposed buildings 2,249(new) + 483(exist) = 2,732 sq.ft.

Present use of premises unused

Proposed use of premises single family dwelling

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

Give extent of proposed alterations A new 3 story wood frame residence with basement, connected to an existing 2 car garage. The scope of work includes covered patios and window wells which will require lot coverage relief. Due to the existing nature of the site topography, a height variance is being requested. New mechanical equipment and egress window wells will require side yard setback relief.

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)	9,296 sq.ft.	10,000 sq.ft.	EXISTING TO REMAIN
Lot Coverage (%)	483 sq.ft. (5.2%)	1,859 sq.ft. (20%)	2,732 sq.ft. (29.4%)
Dwelling Units	0	1	1
Parking (# of spaces)	2(garage)+6(driveway)	2	EXISTING TO REMAIN
Front Setback	76' & 70'	15'	16'-6" (Hunter Av) 37'-9" (Champlin St)
Side Setbacks	4'-0" & 2'-9"	10'	EXISTING TO REMAIN
Rear Setback	N/A/ (corner lot)	20'	N/A/ (corner lot)
Height	+/- 16'	30'	33.5'

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?

See attached for answers

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?

See attached for answers

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

See attached for answers

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".


Applicant's Signature

918, 521-1556
Telephone Number


Owner's Signature

918, 521-1556
Telephone Number

Email address jannmed@aol.com

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

Zoning Application: 0 Champlin St

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?

- The existing parcel is a legal non-conforming lot of record containing only 9,265 square feet of land where 10,000 sq ft is required.
- There is a legal non-conforming garage located 4' & 2'-9" off the northeast corner where 10' is required.
- The existing site topography has an extreme slope and changes elevation by approximately six feet from one corner of the site to the opposite corner.

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?

- A conforming lot in the R-10A zone would be allowed 2,000 sq ft of lot coverage.
- Required 10' side yard setbacks make it difficult to utilize the existing non-conforming (sideyards) garage, an amenities enjoyed by most property owners in the district.
- This area is densely settled with parcels that are similarly undersized, and homes that were built close to the property lines. These existing conditions do not conform with today's zoning regulations and fail to meet various requirements of the R-10A zone. The denial of the request for relief would create unreasonable hardship to the homeowner, denying the ability to create a home conducive to today's modern living standards. The proposed renovations are appropriate and consistent with the surrounding neighborhood and the rights enjoyed by other property owners in the zone. Many neighboring homes have similar lot coverage and setback non-conformities.
- The existing site has an extreme change in grade, differing six feet from one corner of the lot to the next. When designing a home and factoring in the average grade, the zoning constraints of a thirty foot height limit make it challenging to design a home with an adequate roof pitch, and to keep a design that would match the existing characteristics of the neighborhood. We are requesting a height variance to gain an additional three feet and six inches of building height. Due to the extreme change in grade, when looking at the home from the front at Champlin Street the home will only appear to be approximately twenty nine feet high, which looks consistent with the existing neighborhood, and will not create any intrusion to surrounding neighbors. Denying this request would create an unnecessary burden for the homeowners, as the existing topography is of no fault of their own. With the requested variances the home will still be appropriately sized for a home within this zone.

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

- Of the proposed 2,732 s.f., 410 s.f. is covered patio which helps conform to the overall aesthetic of the neighborhood. The habitable portion of the structure with attached garage is within allowable lot coverage.
- Arrangement of the proposed residence in order to utilize the existing nonconforming (sideyards) garage sets the new dwelling tight to the allowable side yard setback. The new portion of the principal dwelling falls within current zoning setback requirements. Only required heat pumps and egress window wells will need to encroach into the setback.
- The proposed work is not intrusive to the neighborhood or neighboring homes, fits well within the parcel, and is within the aesthetic of the other homes in the neighborhood. Granting this request will not create dimensional non-conformities to such a degree that are inconsistent with the rest of the neighborhood, or intrusive to surrounding neighbors. The denial of the request for relief would create unreasonable hardship to the homeowners, denying the ability to create a home of adequate height while trying to maintain ceiling heights that meet today's building code requirements.

MEDEIROS RESIDENCE
0 CHAMPLIN STREET, NEWPORT, RI
SCHEMATIC DESIGN: DECEMBER 11, 2023



DRAWING LIST

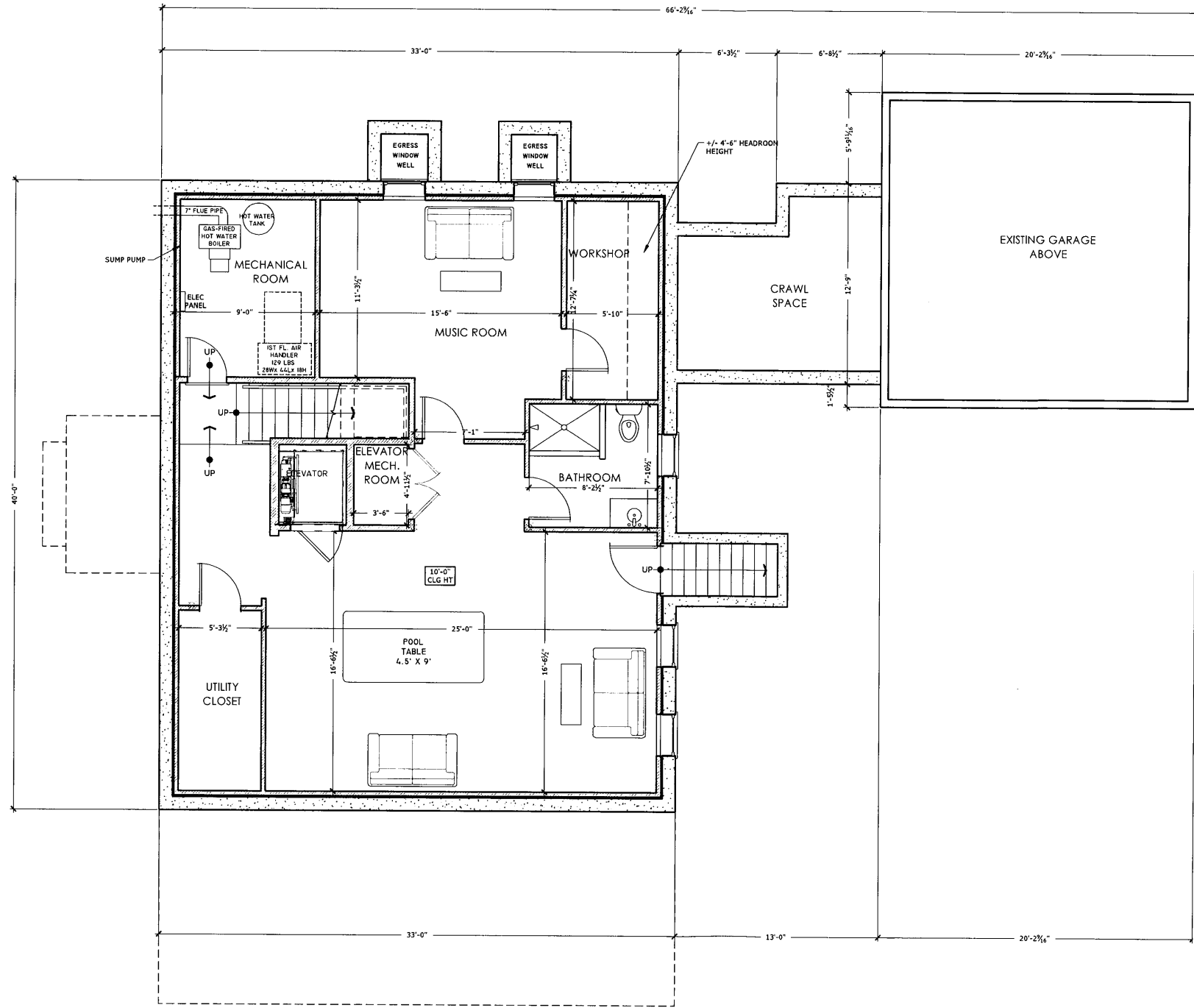
- A1.0 BASEMENT PLAN
- A1.1 FIRST FLOOR PLAN
- A1.2 SECOND FLOOR PLAN
- A1.3 THIRD FLOOR PLAN
- A2.0 EXTERIOR ELEVATIONS
- A2.1 EXTERIOR ELEVATIONS

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ARCHITECTURE

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Middletown, RI 02842

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1 BASEMENT FLOOR PLAN
Scale: 1/4" = 1'-0"



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MEDEIROS
RESIDENCE
0 CHAMPLIN STREET, NEWPORT, RI

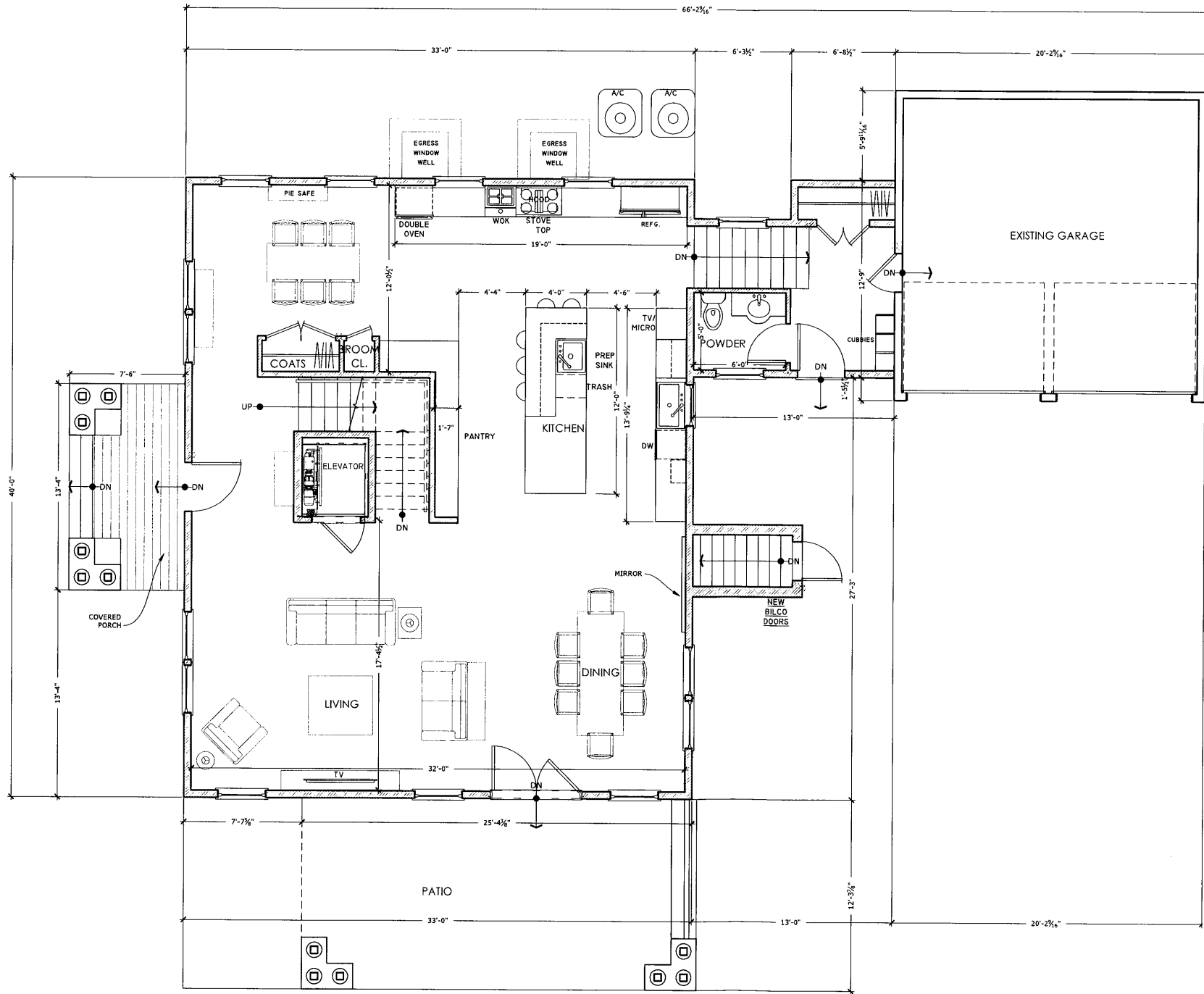
DESCRIPTION:
BASEMENT PLAN
SCALE: AS NOTED
DATE: December 11th, 2023

REVISION SCHEDULE	
REV. #	REV. DATE



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1 FIRST FLOOR PLAN
Scale: 1/4" = 1'-0"

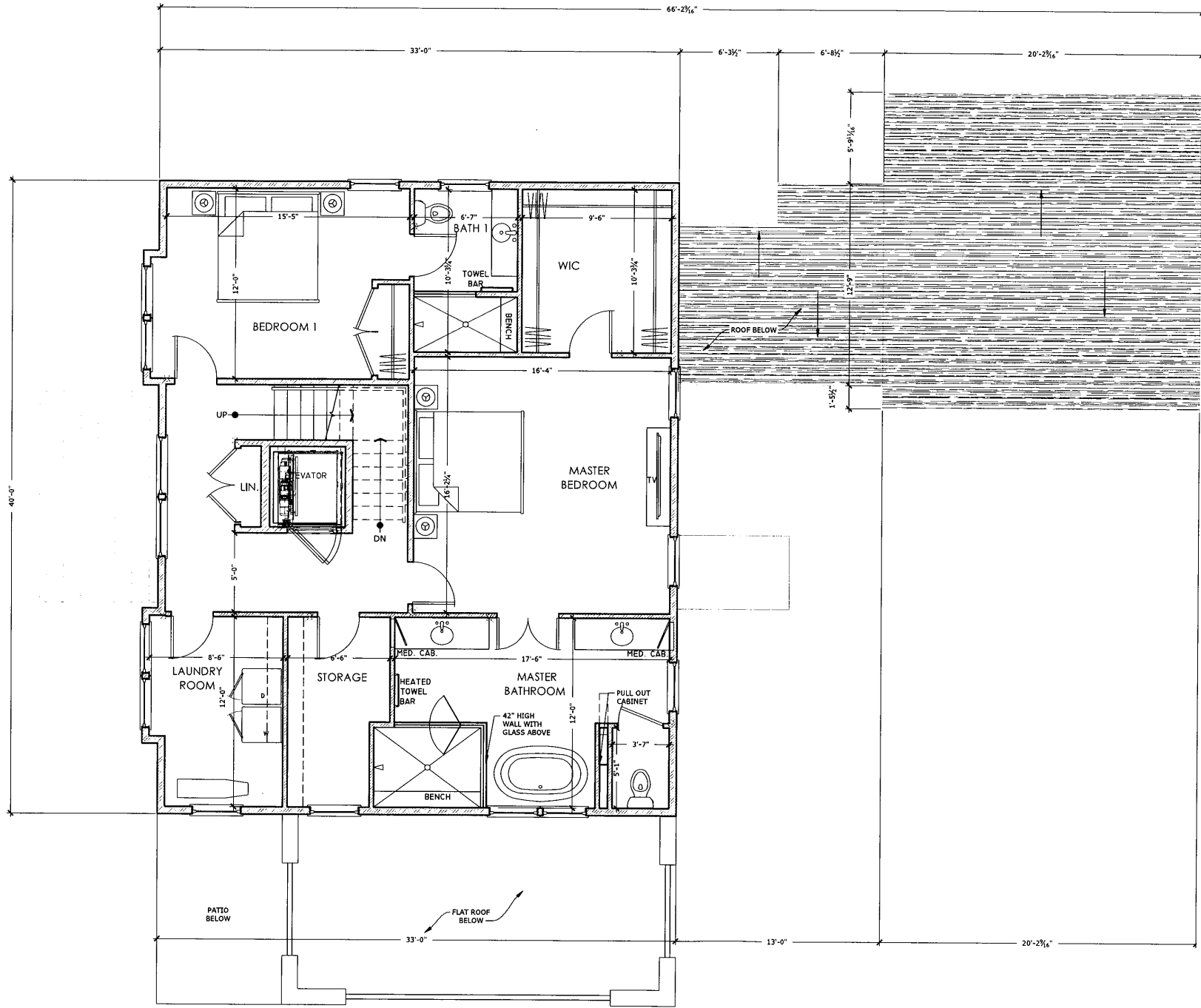


REVISION SCHEDULE	
REV. #	REV. DATE

DESCRIPTION:	
FIRST FLOOR PLAN	
SCALE: AS NOTED	
DATE: December 11th, 2023	

**MEDEIROS
RESIDENCE**
0 CHAMPLIN STREET, NEWPORT, RI

A1.1



1 SECOND FLOOR PLAN
Scale: 1/4" = 1'-0"



A1.2

MEDEIROS
RESIDENCE
0 CHAMPLIN STREET, NEWPORT, RI

DESCRIPTION:
SECOND FLOOR PLAN

SCALE: AS NOTED

DATE: December 11th, 2023

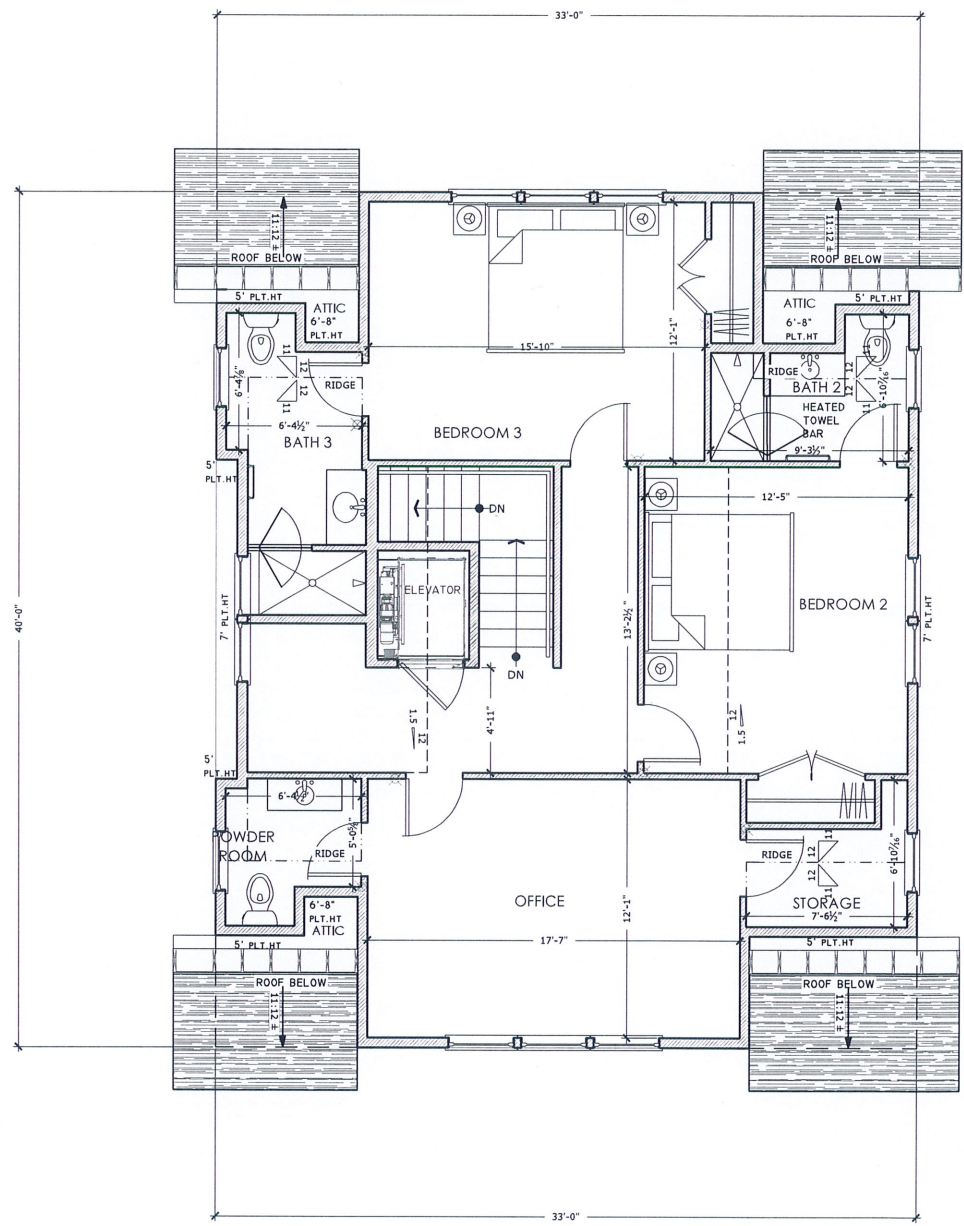
REVISION SCHEDULE

REV. #	REV. DATE

PROGRESS PRINT
DATE: 12/11/2023
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1 THIRD FLOOR PLAN
Scale: 1/4" = 1'-0"



A1.3

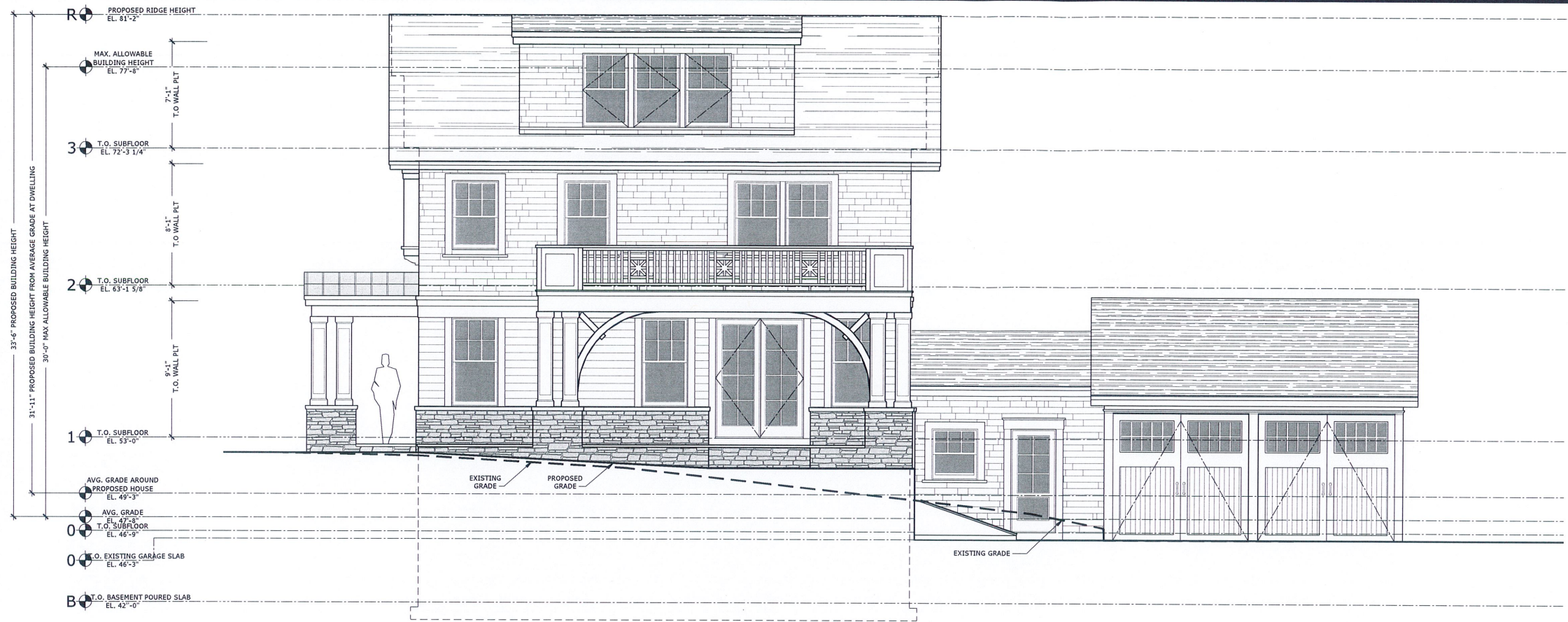
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0 CHAMPLIN STREET, NEWPORT, RI

DESCRIPTION:
THIRD FLOOR PLAN
SCALE: AS NOTED
DATE: December 11th, 2023

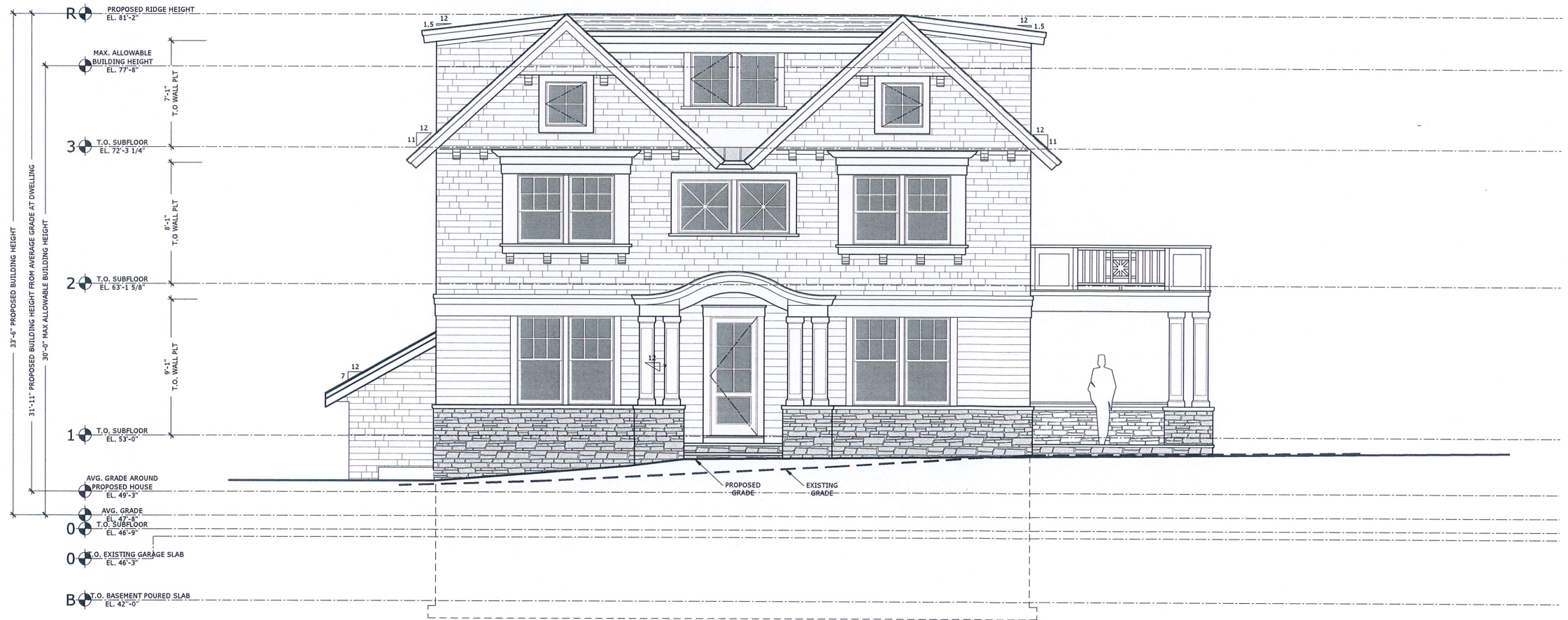
REVISION SCHEDULE	
REV. #	REV. DATE



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1 SOUTH ELEVATION
Scale: 1/4" = 1'-0"



2 WEST ELEVATION
Scale: 1/4" = 1'-0"



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REVISION SCHEDULE	
REV. #	REV. DATE

DESCRIPTION: EXTERIOR ELEVATIONS	
SCALE: AS NOTED	DATE: December 11th, 2023

**MEDEIROS
RESIDENCE**
0 CHAMPLIN STREET, NEWPORT, RI

A2.0

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3 NORTH ELEVATION
Scale: 1/4" = 1'-0"



4 EAST ELEVATION
Scale: 1/4" = 1'-0"



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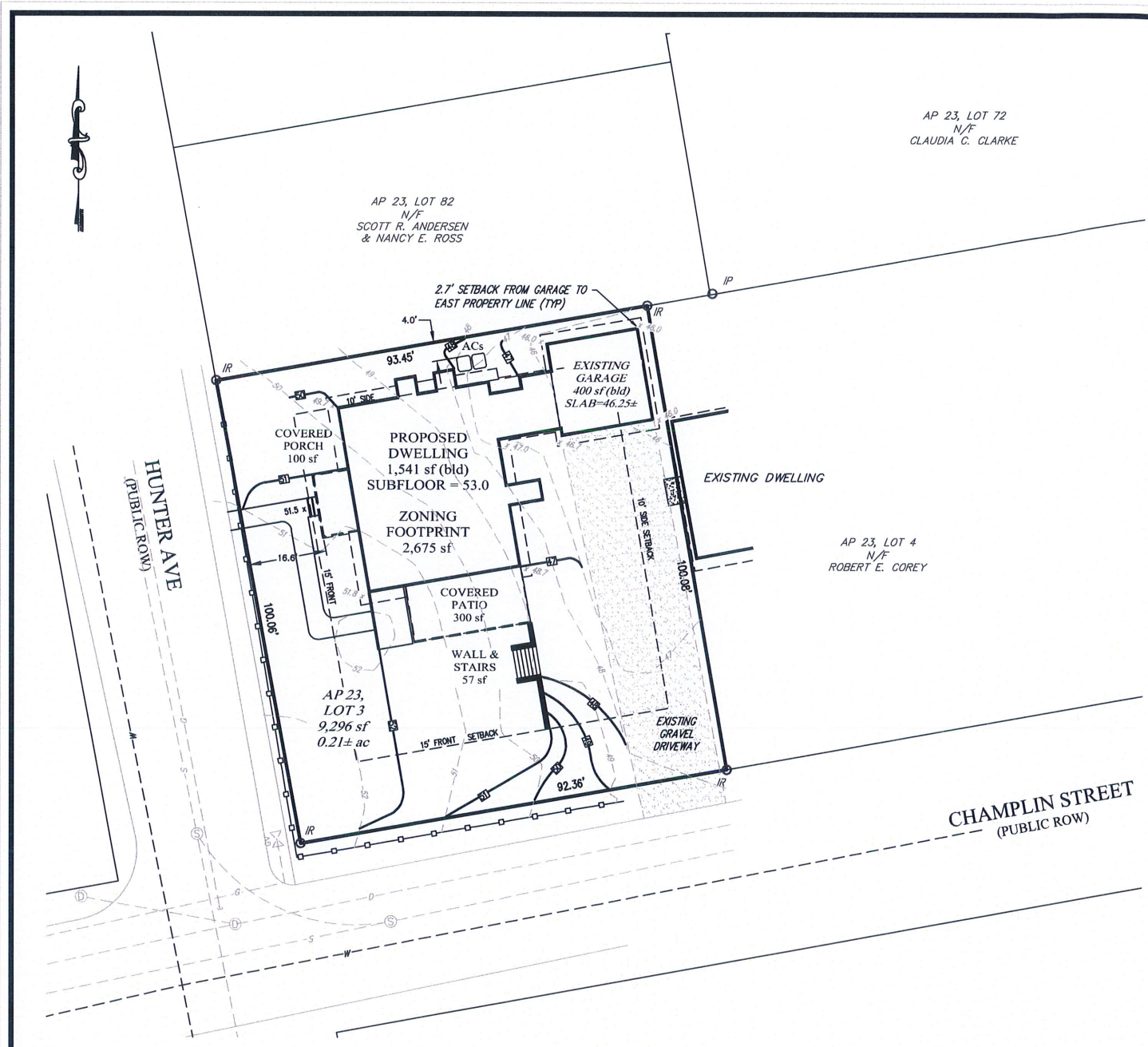


REVISION SCHEDULE	
REV. #	REV. DATE

DESCRIPTION: EXTERIOR ELEVATIONS	
SCALE: AS NOTED	DATE: December 11th, 2023

MEDEIROS
RESIDENCE
0 CHAMPLIN STREET, NEWPORT, RI

A2.1



FLOOD NOTE:

THE ENTIRE SITE LIES WITHIN ZONE X: AREAS DETERMINED TO BE OUTSIDE OF SPECIAL FLOOD HAZARD AREAS AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) 4400SC1814, DATED 8-4-2013 FOR NEWPORT COUNTY.

NOTES:

1. THE EXISTING LOT IS NON-COMFORMING BY LOT AREA AND IT HAS A SINGLE GARAGE STRUCTURE WITH NO PRIMARY STRUCTURE, THE SIDE SETBACK IS 2.7' CURRENTLY.
2. SURVEY WORK PERFORMED BY MILLSTONE ENGINEERING, P.C. DECEMBER 2022, SUPPLEMENTED IN DECEMBER 2023.

REFERENCES:

1. THAT PLAN ENTITLED: "CLASS 1 PERIMETER SURVEY ASSESSOR'S PLAT 23, LOT 3 UNDER AVENUE and CHAMPLIN STREET SITUATED IN NEWPORT, RHODE ISLAND" PREPARED FOR LIF PROPERTIES, LLC, DATED DECEMBER 2022, PREPARED BY MILLSTONE ENGINEERING, P.C., SHEET 1 OF 1, SCALE 1"=20'
2. ARCHITECTURAL DATA USED PROVIDED BY CORDTSEN DESIGN, PROJECT ARCHITECTS



LOCATION MAP
NOT TO SCALE

OWNER:

AP 23, LOT 3
JANN RAY MEDEIROS
JOHN MEDEIROS
PO BOX 210
NEWPORT, RI 02840

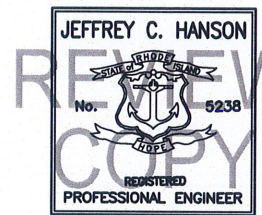
LEGEND:

- SUBJECT PROPERTY LINE
- ABUTTING PROPERTY LINE
- EXISTING BUILDING
- EXISTING FENCE
- EXISTING PAVEMENT
- EXISTING IRON ROD FOUND
- EXISTING IRON PIPE FOUND
- EXISTING CONTOUR
- EXISTING SETBACK
- EXISTING DRAIN LINE
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- EXISTING GAS MAIN
- PROPOSED CONTOUR

DIMENSIONAL REQUIREMENTS:

R-10A	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT SIZE	10,000 S.F.	9,296 sf	NO CHANGE
LOT WIDTH	80'	92.36'	N/C
SETBACKS - PRINCIPAL BUILDING:			
FRONT YARD	15'	N/A	16.6'
SIDE YARD	10'	2.7' *	2.7' *
REAR YARD	20'	N/A	N/A
MAXIMUM LOT COVERAGE	20 %	5.2%	29.4 % **
MAXIMUM BUILDING HEIGHT (PRINCIPAL)	30'	N/A	33.5' **
SETBACKS - ACCESSORY BUILDING:			
SIDE YARD	10'	N/A	N/A
REAR YARD	10'	N/A	N/A
MAXIMUM BUILDING HEIGHT (ACCESSORY)	30'	N/A	N/A

* EXISTING NON-COMFORMING CONDITION (see note 1)
** VARIANCE REQUIRED
LOT COVERAGE CALCULATIONS: (2,675 + 57) / 9,296 = 29.4%
*** BUILDING HEIGHT CALCULATIONS:
PRINCIPAL AVERAGE GRADE = (51.8+49.7+46.0+46.0+46.0+46.7+47.0+48.7) / 8 = 47.7
BLD HT (PRINCIPAL): RIDGE HT = 81.2 - 47.7 = 33.5'



ZONING PLAN
ASSESSOR'S PLAT 23, LOT 3
HUNTER AVENUE and
CHAMPLIN STREET

SITUATED IN
NEWPORT, RHODE ISLAND

PREPARED FOR:
JANN RAY MEDEIROS

DECEMBER 2023

PREPARED BY:



250 Centerville Road, Building E-12
Warwick, Rhode Island 02886
790 Aquidneck Avenue, Building B
Middletown, Rhode Island 02842

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