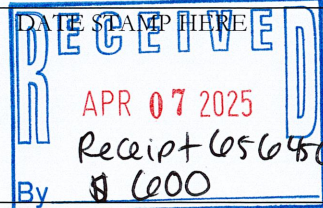




Newport Zoning Application

ZBR 2025-MAY-009

(This box for staff use only)



Date: 4-7-2025

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: 201 GODDARD ROW

Tax Assessor's Plat: 24 Lot: 010-201 Zoning District: GB

☐ Special Use Permit (Non-Conforming Alteration)

☐ Regulatory (Dimensional) Variance

☒ Special Use Permit (New Use)

☐ Use Variance

☐ Modification

Property Owner: RAED YAZBECK

Mailing Address: 15 John Alden Ln, Dartmouth, MA

Email Address: RAYAZBECK@gmail.com 02747

Phone Number: 646-460-9102

How long have you been the owner of the above premise? NEW

Legally Authorized Representative *if applicable: ADAM THAYER, Atty

Mailing Address: 130 Bellevue Ave

Email Address: athayer@srt-law.com Phone Number: 401-849-3040

Lessee: _____

Mailing Address: _____

Email Address: _____ Phone Number: _____



Newport Zoning Application

Property Characteristics

BRICK MARKETPLACE CONDOS

Dimensions of lot-frontage: _____ ft. Lot Area: _____ sq. ft.

Are there buildings on the premises at present? GODDARD ROW CONDOMINIUMS

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

Total square footage of the footprint of proposed buildings: 1155 sq. ft.
existing

Zoning Characteristics Matrix

	Existing	Required/Allowed	Proposed
Lot Size (sq. ft.)			
Coverage Area (sq. ft)			
Lot Coverage (%)			
Dwelling Units			
Parking (# of spaces)	1		
Front Setback (ft.)			
Side Setbacks (ft.)			
Rear Setback (ft.)			
Height (ft.)			



Newport Zoning Application

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

Present use of Premise: RETAIL STORE

Proposed use of Premise: RETAIL FOOD (Cold drinks + Fruit bowls)

Summary of Proposed Alterations

Please refer to attached drawing/rendering

1. Store will have Seating for four (4) Customers
2. 99% of the business is take-out - Most Customers will walk-in, or by DoorDash.
3. Improvements consist of adding Counters + Sanitation sinks. There will be a partial partition between the public and staff only area.
4. The existing bath will remain "as is"



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)

Chapter 17.108.020.C.3 - change of use

The applicant is purchasing 201 Goddard Row located in the Brick Marketplace, Newport, and is requesting the use to be changed from Retail Store to Retail Store Fast Food. There is only space for (4) seats indoors.

There are no exterior changes allowable since the condos are all part of the Brick Marketplace Association. The only changes will be interior as already described in the application. The association rules govern what improvements can be made to the exterior and signage.

The Brick Marketplace has approved Playa Bowls business and is welcoming it to the Merchants Assn. They are optimistic about Playa Bowls being an anchor store in their community, as it will draw considerable new customers to the area.



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.

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a horizontal line and a loop.

Applicant Signature

4-7-25

Date

A handwritten signature in blue ink, consisting of a stylized 'A' followed by a horizontal line and a loop.

Owner Signature

4-7-25

Date



Newport Zoning Application

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.

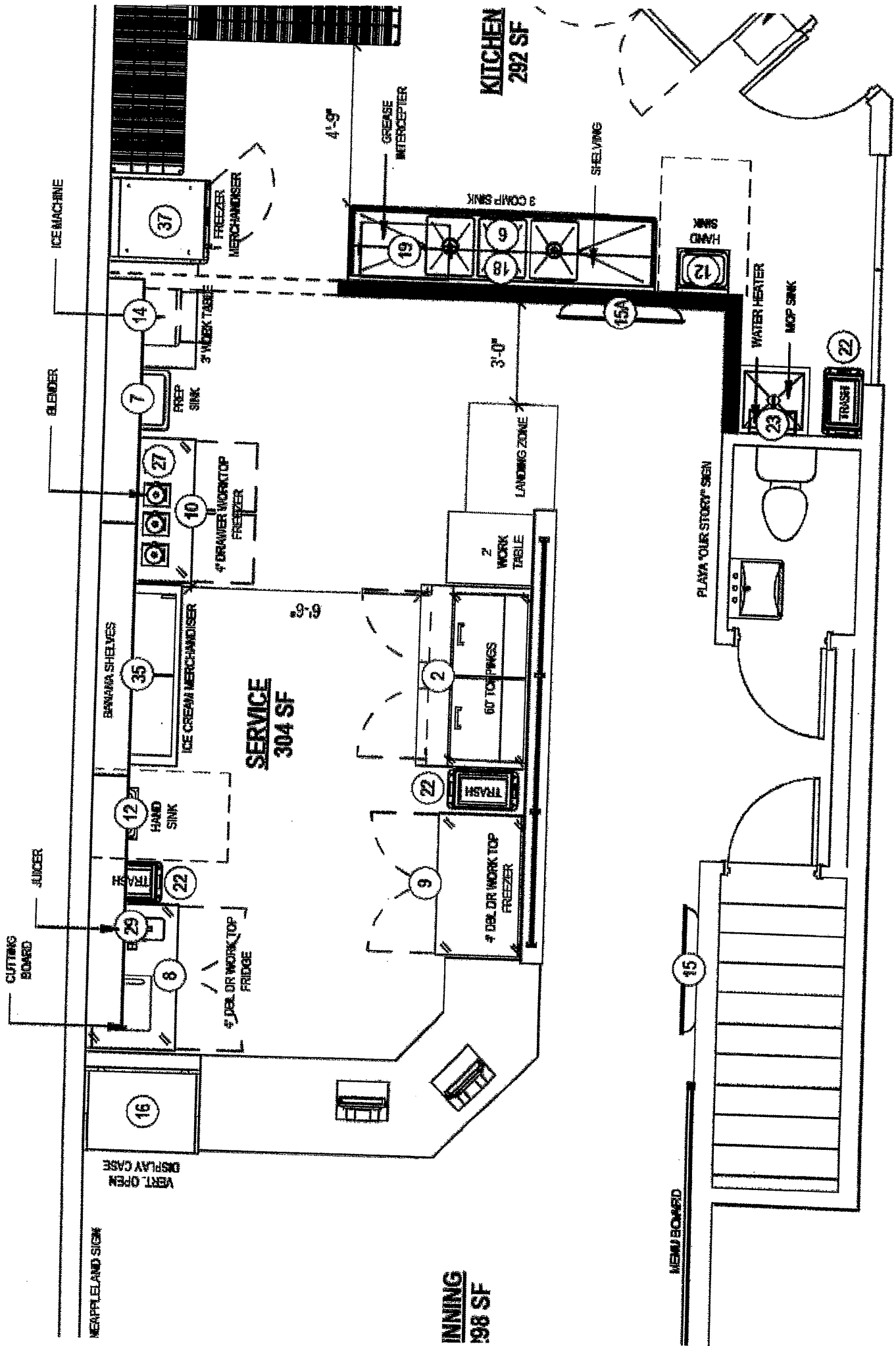
B. Special Use Permit – Newport Municipal Code Chapter 17.109

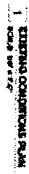
For applicable Standards for Special Use Permit Categories 1-5, please see Newport Municipal Code Chapter 17.109.020 A-E

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.



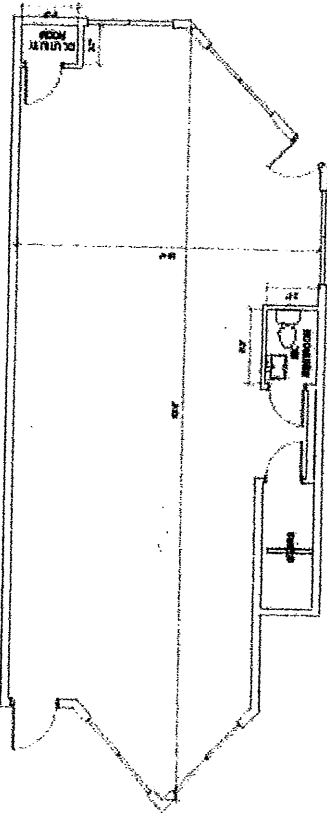


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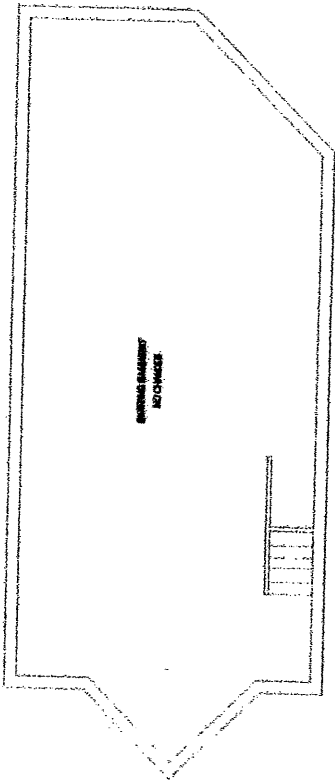
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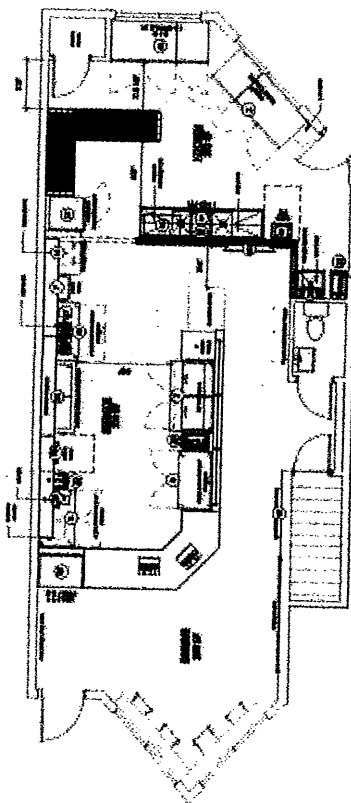
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1. FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

















2. SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



3. THIRD FLOOR PLAN
SCALE: 1/8" = 1'-0"

EQUIPMENT SCHEDULE

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	Nutella- Acai Bowl Playa Acai topped with blueberry flax granola, strawberry....		Pura Vida- Acai Bowl Playa Acai topped with blueberry flax granola, strawberry....		Stupid Cupid- Spec... Stupid cupid blend (contains strawberry, banana and coc....
\$13.00	>	\$13.00	>	\$13.00	>
	Nutelloco- Coconut... Playa Coconut blend (contains coconut, and banana) topp....		Power- Acai Bowl Playa Acai with chocolate protein topped with blueberry....		
\$13.00	>	\$13.00	>		
Bowls					
	Acai Bowls Blended with the highest quality organic Playa Acai®		Pitaya Bowls Blended with the highest quality organic Playa Pitaya®		Coconut Bowls Blended with raw coconut & banana
>	>	>	>	>	>
	Green Bowls Blended with kale, banana, pineapple & coconut milk		Banana Bowls Blended with banana, honey & almond milk		Oatmeal Bowls Oatmeal bowls include steel cut organic oatmeal
>	>	>	>	>	>
	Special Bowls		Mango Bowls Blended with the highest quality all natural Playa Mango		\$0.00
>	>	>	>		