

Minutes of the
Newport Zoning Board of Review

A regular meeting of the Zoning Board of Review was held on Monday, November 18, 2024, in the Auditorium of Innovate Newport, 513 Broadway at 6:00 p.m.

PRESENT: Wick Rudd, Chair
David Riley,
Russell Johnson, Secretary
Bart Grimes
Nicole Shevory

Nicholas Armour, Zoning Officer
Dylan Conley, Assistant City Solicitor
Zachary Cabrera, Assistant Planner

ABSENT: Susan Perkins

The following items were considered and re-ordered by the board:

- 7 & 9 Dearborn was re-ordered to the front of full hearings.

D E C I S I O N S

App. #2024-Sept-009 PETITION OF TAJ RESIDENCES, LLC, applicant and owner, **7 & 9 Dearborn Street**, TAP 32, Lot 214, (R-10 Zone) for special use permits and a dimensional variance to convert an existing non-conforming four-family home to a three-family home, removal of a rear shed, construction of a second floor covered front deck located 0' from the front property line (6.44' required), reconstruction and expansion of a three-level rear egress stair and deck system, reconstruction and expansion of a third floor roof deck, reducing the lot coverage from 42.3% to 39.38% (31.42% permitted).

Attorney Russell Jackson represented the applicant and there was no opposition. Mr. Jackson submitted a copy of the amended application. Mr. exhibit 1 (photos of house as-is and house across street – 6 Dearborn was accepted by the board and entered into the record.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and under Chapter 17.109 Special Use Permits, Category 6, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was unanimously approved. Mr. Jackson to write the draft decision.

Amended App. #2024-Aug-005 PETITION OF 78-80 THAMES STREET, LLC, applicant and owner, **78-80 Thames Street**, TAP 17, Lot 138 (GB Zone; Historic Overlay), for a retroactive dimensional variance to convert two existing dwelling units to guest house units, containing a total of five (5) bedrooms, with two “lock-out” bedrooms, without providing additional parking spaces (2 additional spaces required).

Attorney Joshua Parks represented the applicants, and three objectors were present. Allie Grist and Amanda Feeney, representatives of LLC were also present. Mr. Parks submitted a letter of support from owner of retail unit on first floor. Mr. Parks brought Jim Houle as a witness to speak about effect on surrounding community. Objector Ms. Galit says this short-term rental has been occurring illegally for years. Objector Ms. Lewis states her issues with parking. Objector Ms. Alexander explains that she has called the police many times for noise complaints. Mr. Johnson clarifies there was only a record of one police visit to the property.

Mr. Riley made a motion to adopt as the Board’s findings of fact the information in the staff report and application and the conditions that off-site parking be supplied for 2 spaces annually, the 4-bedroom apartment will lock two bedrooms and inaccessible to guests house rentals, and adopt as the Board’s conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was denied 4-1, Mr. Grimes voted to approve, all other members voted to deny. Staff to write the draft decision.

App. #2024-Aug-006 PETITION OF 20-24 FRANKLIN STREET, LLC, applicant and owner, **20-24 Franklin Street**, TAP 27, Lot 050 (GB Zone, Historic Overlay), for a retroactive dimensional variance to convert an existing dwelling to a guest house, without providing additional parking spaces (4 additional spaces required).

Attorney Joshua Parks represented the applicants, and objector Lynn Sanzo was present. Allie Grist and Amanda Feeney, representatives of LLC were also present. Ms. Grist states they have obtained 4 spaces at Bowen’s Wharf. The Zoning Officer clarified he has not had a chance to review parking leases, and that Bowen’s Wharf has applied for own parking variance and likely does not have an excess of parking. Jim Houle overviews his report. Objector Ms. Sanzo says she is worried the 4 parking spaces will not be dedicated.

The applicant was present and there was no opposition. Mr. Riley made a motion to adopt as the Board’s findings of fact the information in the staff report, and application, and the condition that the dedicated 4 off-site parking spaces, and if those spaces are not obtainable, they will come back to the board and treat the petition as an abbreviated summary, adopt as the Board’s conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications and that the petition be granted with the seven aforementioned agreed upon conditions, and the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was unanimously approved. Mr. Parks to write the draft decision.

App. #2024-Sept-010 PETITION OF 523-525 THAMES STREET, LLC, applicant and owner, **523-525 Thames Street**, TAP 35, Lot 124, (WB Zone) for a retroactive dimensional variance to convert two existing dwelling units to guest house units, without providing additional parking spaces (2 additional spaces required).

Attorney Joshua Parks represented the applicants, and objector Lynn Sanzo was present. Allie Grist and Amanda Feeney, representatives of LLC were also present. Ms. Grist states they have obtained 4 spaces at Bowen's Wharf. Jim Houle overviews his findings. The Zoning Officer clarified that Ms. Sanzo is not an abutter, and Ms. Sanzo says she is worried the 4 parking spaces will not be dedicated.

The applicant was present and there was no opposition. Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, and application, and the condition that the applicants will submit a one year paid lease for parking yearly to the Zoning Officer, adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications and that the petition be granted with the seven aforementioned agreed upon conditions, and the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was unanimously approved. Mr. Parks to write the draft decision.

Meeting was adjourned at 9:15 pm.