

Minutes of the
Newport Zoning Board of Review

A regular meeting of the Zoning Board of Review was held on Monday, December 23, 2024, in the Auditorium of Innovate Newport, 513 Broadway at 6:00 p.m.

- PRESENT: Wick Rudd, Chair
 David Riley, Vice Chair
 Russell Johnson, Secretary
 Bart Grimes
 Nicole Shevory
- Nicholas Armour, Zoning Officer
 Dylan Conley, Assistant City Solicitor
 Zachary Cabrera, Assistant Planner

The following meeting minutes were considered and approved:

- Monday, November 25, 2024.

The following items were considered and approved:

- 2025 Zoning Board of Review Meeting Schedule.
- Special Meeting date set for February 10, 2025.

D E C I S I O N S

App. #2024-Dec-003 PETITION OF THE PRESERVATION SOCIETY OF NEWPORT COUNTY, applicants and owners, **0 Coggeshall Avenue**, TAP 40, Lot 013, (R-10A Zone) for a special use permit to convert an existing single-family dwelling to a two-family dwelling.

Attorney John Russell represented the application 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, 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 17.109 Special Use Permits, Category 1, 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 motion was unanimously approved. Attorney Russell to write the draft decision.

App. #2024-Dec-004 PETITION OF 11 CHARTIER CIRCLE, LLC, applicant and owner, **11 Chartier Circle**, TAP 44, Lot 094, (R-40A Zone; Historic Overlay) for a special use permit to construct a second story deck on a new house on a substandard lot of record.

Michael Richards represented the application 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, 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 17.109 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 motion was unanimously approved. Attorney Richards to write the draft decision.

App. #2024-Dec-005 PETITION OF SHEILA PERRY, applicant and owner, **102 Third Street**, TAP 09, Lot 150 (R-10 Zone) for a special use permit and dimensional variance to construct third-floor dormers on the north and south sides of the house, meeting the existing roof height of 34' (30' permitted).

Tami Holden represented the application 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, 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 motion was unanimously approved. Staff to write the draft decision.

App. #2024-Nov-001 PETITION OF 7 CARROLL AVE LLC, applicant and owner, **7 Carroll Avenue Street**, TAP 40, Lot 131, (LB Zone) for a special use permit and dimensional variances to convert one dwelling unit to a three-bedroom guest house, without providing additional parking (2 additional spaces required), without providing the required 24-foot two-way drive aisle on the same property.

Applicant Ian Martins was present. Attorney Tanner Jackson represented the application. Objector Spiridon Eliopoulos was present. Mr. Jackson submitted applicant's exhibit 1, survey, to the board and was accepted and entered into the record by the board. Todd Brayton was present and accepted as a traffic expert by the board. Objector Mr. Eliopoulos stated his concerns with the project.

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 on the conditions that signs be installed designating tenant parking, that in the event Mr. Martins is no longer living in unit 2 there must be a plan for an on-site manager, and that parking spaces be kept free and clear from obstructions, 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 was taken. The motion was unanimously approved. Attorney Jackson to write the draft decision.

App #2024-Nov-002 PETITION OF MARK ORAVEC, applicant and owner, **9 Lee's Wharf**, TAP 32, Lot 253 (WB Zone), for dimensional variances to convert a two-bedroom guest house to a four-bedroom guest house without providing additional parking (2 additional spaces required), requiring reversing into the right-of-way (no maneuvering onto the public right-of-way permitted).

Applicant Mark Oravec was present and there was no opposition. Attorney Tanner Jackson represented the application. Assistant City Solicitor Dylan Conley explained the applicants are slightly

changing relief to just ask for reduced dimensions of two of three parking spaces. Jennifer Gardner, property manager was present and stated she uses spot #5 on the property. Todd Braydon was present and accepted by the board as a traffic expert.

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 on the condition that the guest house only be rented to one party at a time, 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 was taken. The motion was unanimously approved. Attorney Jackson to write the draft decision.

App. #2024-Nov-012 PETITION OF MICHAEL AND LAURIE LONDERGAN, applicants and owners, **96 Kay Street**, TAP 11, Lot 065, (R-10 Zone) for special use permit and dimensional variance to construct an in-ground pool, increasing the lot coverage from 24.82% to 29.76% (where 23% is permitted).

Applicant Laurie Londergan was present and there were 4 objectors present. Real estate Expert Jim Houle was present and represented the application. Ms. Londergan explained the application and detailed the pool and removal of driveway on Kay Street. Mr. Grimes asked a question regarding pool drainage. Mr. Houle explained the effect of pool expansion on the neighborhood. Mr. Johnson asked a question regarding the need for a pool.

Objector Kristin Minor was present and explained her concerns with a nearby property and pool drainage. Objector Charles Roberts was present and submitted objector's exhibit 1, photos showing his property in relation to 96 Kay, which was accepted by the board. Objector Margaret Baker explains her issues with stormwater drainage. Ms. Londergan responded to abutters' claims.

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 was taken. The motion was unanimously approved. Staff to write the draft decision.

App. #2024-Dec-008 PETITION OF MARK & IDA ARAMLI TRUST 2021, applicants and owners, **533 Bellevue Avenue**, TAP 37, Lot 002, (R-60 Zone; Historic Overlay) for special use permits and dimensional variances to construct a side porch 20' from the south side property line (35.3' required), demolish an existing detached 1-story garage and construct an attached 1 1/2 -story garage 11.6' from the north side property line (35.3' required), construct a third-floor addition with a height of 40' (35' permitted) and a skylight over the 35' height limit, and construct an in-ground pool, increasing the lot coverage from 8.8% to 13.2% (11.2% permitted) and special use permits to construct two second-story decks.

Applicant Mark Aramli was present and represented the application. Mr. Riley made a motion to continue the application to the January 27, 2025 Zoning Board of Review Meeting. The board discussed the motion and a roll call vote was taken. The motion passed unanimously.

Meeting was adjourned at 9:45 pm.